

STATE OF MINNESOTA

EIGHTY-FIFTH SESSION — 2008

EIGHTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 6, 2008

The House of Representatives convened at 9:30 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by Pastor John Snider, St. Stephen's Lutheran Church, West St. Paul, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dill	Haws	Lesch	Olson	Slawik
Anderson, B.	Dittrich	Heidgerken	Liebling	Otremba	Slocum
Anderson, S.	Dominguez	Hilstrom	Lieder	Ozment	Smith
Anzels	Doty	Hilty	Lillie	Paulsen	Solberg
Atkins	Drazkowski	Holberg	Loeffler	Paymar	Swails
Beard	Eastlund	Hoppe	Magnus	Pelowski	Thao
Benson	Eken	Hornstein	Mahoney	Peppin	Thissen
Berns	Emmer	Hortman	Mariani	Peterson, A.	Tillberry
Bigham	Erhardt	Hosch	Marquart	Peterson, N.	Tingelstad
Bly	Erickson	Howes	Masin	Peterson, S.	Tschumper
Brod	Faust	Huntley	McFarlane	Poppe	Urdahl
Brown	Finstad	Jaros	McNamara	Rukavina	Wagenius
Brynaert	Fritz	Johnson	Moe	Ruth	Walker
Buesgens	Gardner	Juhnke	Morgan	Ruud	Ward
Bunn	Garofalo	Kalin	Morrow	Sailer	Wardlow
Carlson	Gottwalt	Knuth	Mullery	Scalze	Welti
Clark	Greiling	Koenen	Murphy, E.	Seifert	Westrom
Cornish	Gunther	Kohls	Murphy, M.	Sertich	Winkler
Dean	Hackbarth	Kranz	Nelson	Severson	Zellers
DeLaForest	Hamilton	Laine	Nornes	Shimanski	Spk. Kelliher
Demmer	Hansen	Lanning	Norton	Simon	
Dettmer	Hausman	Lenczewski	Olin	Simpson	

A quorum was present.

Madore was excused.

Davnie was excused until 11:15 a.m. Wollschlager were excused until 11:20 a.m. Kahn was excused until 2:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Hansen moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 1546, A bill for an act relating to elections; providing for automatic voter registration of applicants for a driver's license, instruction permit, or identification card; appropriating money; amending Minnesota Statutes 2006, sections 201.12; 201.13, subdivision 3; 201.161.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 201.12, is amended to read:

201.12 PROPER REGISTRATION; VERIFICATION BY MAIL; CHALLENGES.

Subdivision 1. **Notice of registration.** To prevent fraudulent voting and to eliminate excess names, the county auditor may mail to any registered voter a notice stating the voter's name and address as they appear in the registration files. The notice shall request the voter to notify the county auditor if there is any mistake in the information.

Subd. 2. **Challenges Moved within state.** ~~Upon return of any nonforwardable mailing from an election official, the county auditor or the auditor's staff shall ascertain the name and address of that individual. If the individual is no longer at the address recorded in the statewide registration system. If any nonforwardable mailing from an election official is returned as undeliverable but with a permanent forwarding address in this state, the county auditor may change the voter's status to inactive in the statewide voter registration system and shall notify the auditor of the county in which the new address is located. Upon receipt of the notice, the county auditor shall update the voter's address in the statewide voter registration system and mail to the voter a notice indicating the voter's name, address, precinct, and polling place. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.~~

Subd. 3. **Moved out of state.** If any nonforwardable mailing from an election official is returned as undeliverable but with a permanent forwarding address outside of this state, the county auditor shall promptly mail to the voter at the voter's new address a notice advising the voter that the voter's status in the statewide registration system will be changed to "inactive" unless the voter notifies the county auditor within 21 days that the voter is retaining the former address as the voter's address of residence. If the notice is not received by the deadline, the county auditor shall change the voter's status to "inactive" in the statewide registration system.

Subd. 4. Challenges. If any nonforwardable mailing from an election official is returned as undeliverable but with no forwarding address, the county auditor shall change the registrant's status to "challenged" in the statewide registration system. An individual challenged in accordance with this subdivision shall comply with the provisions of section 204C.12, before being allowed to vote. If a notice mailed at least 60 days after the return of the first nonforwardable mailing is also returned by the postal service, the county auditor shall change the registrant's status to "inactive" in the statewide registration system.

Sec. 2. Minnesota Statutes 2006, section 201.13, subdivision 3, is amended to read:

Subd. 3. Use of change of address system. ~~The county auditor may delete the records in the statewide registration system of voters whose change of address can be confirmed by the United States Postal Service. The secretary of state may provide the county auditors with periodic reports on voters whose change of address can be confirmed by the United States Postal Service.~~ (a) At least once each month the secretary of state shall obtain a list of individuals in this state who have filed with the United States Postal Service a change of their permanent address. If an individual is registered as a voter in the statewide registration system and the address is changed to another address in this state, the secretary of state shall transmit the information about the changed address by electronic means to the county auditor of the county in which the new address is located. Upon receipt of the information, the county auditor shall update the voter's address in the statewide registration system and mail to the voter a notice stating the individual's name, address, precinct, and polling place. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not the voter's address of residence. The notice must state that it must be returned if it is not deliverable to the voter at the named address.

(b) If the change of permanent address is to an address outside of this state, the secretary of state shall notify by electronic means the auditor of the county where the voter formerly resided that the voter has moved to another state. The county auditor shall promptly mail to the voter at the voter's new address a notice advising the voter that the voter's status in the statewide registration system will be changed to "inactive" unless the voter notifies the county auditor within 21 days that the voter is retaining the former address as the voter's address of residence. If the notice is not received by the deadline, the county auditor shall change the voter's status to "inactive" in the statewide registration system.

EFFECTIVE DATE. This act is effective the day following final enactment but not until the secretary of state has certified that the statewide voter registration system has been tested and shown to accurately update voters' records and properly prepare the appropriate notices to voters."

Delete the title and insert:

"A bill for an act relating to elections; providing for verification of certain address changes; making conforming procedural changes; amending Minnesota Statutes 2006, sections 201.12; 201.13, subdivision 3."

With the recommendation that when so amended the bill pass.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 2168, A bill for an act relating to agriculture; providing for the development and regulation of an industrial hemp industry; authorizing rulemaking; providing a defense for possession and cultivation of industrial hemp; modifying the definition of marijuana; amending Minnesota Statutes 2006, sections 18J.01; 18J.02; 18J.03;

18J.04, subdivisions 1, 2, 3, 4; 18J.05, subdivisions 1, 2, 6; 18J.06; 18J.07, subdivisions 3, 4, 5; 18J.09; 18J.11, subdivision 1, by adding a subdivision; 152.01, subdivision 9; 375.30, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 18K.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 2696, A bill for an act relating to public safety; requiring the Department of Corrections to reimburse police departments for the cost of predatory offender community notification hearings; amending Minnesota Statutes 2006, section 244.052, subdivision 4.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 2735, A bill for an act relating to public safety; funding peace officer training in managing and policing citizens with mental and emotional problems; appropriating funds.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Hilty from the Energy Finance and Policy Division to which was referred:

H. F. No. 2903, A bill for an act relating to energy and the environment; extending the definition of biomass with respect to renewable energy objectives, distributed energy resources, and renewable energy resource planning; extending the expiration date for the Metropolitan Area Water Supply Advisory Committee; amending Minnesota Statutes 2006, sections 216B.2411, subdivision 2; 216B.2422, subdivision 1; 473.1565, subdivision 2; Minnesota Statutes 2007 Supplement, section 216B.1691, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 17, before "and" insert "wastewater effluent, sludge, or related byproducts, but not including incineration of wastewater sludge to produce electricity."

Page 1, line 18, delete the new language

Page 1, line 19, delete the new language

Page 2, line 6, after "that" insert "the incineration of wastewater sludge is not an eligible renewable energy source, and"

Page 2, line 35, before the period, insert ", except that the incineration of wastewater sludge is not a renewable energy"

Page 3, delete sections 4 and 5 and insert:

"Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to energy; extending definition of biomass with respect to renewable energy objectives, distributed energy resources, and renewable energy resource planning; amending Minnesota Statutes 2006, sections 216B.2411, subdivision 2; 216B.2422, subdivision 1; Minnesota Statutes 2007 Supplement, section 216B.1691, subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

Eken from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 3195, A bill for an act relating to environment; establishing principles of a cap and trade program for greenhouse gas emissions; establishing a climate trust fund, and specifying its goals and uses; requiring studies; appropriating money from the general fund; proposing coding for new law in Minnesota Statutes, chapter 216H.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[216H.10] TITLE.**

This act may be cited as the "Green Solutions Act of 2008."

Sec. 2. **[216H.11] CAP AND TRADE PROGRAM.**

Subdivision 1. **Intent.** It is the intent of the legislature that Minnesota participate in the midwest regional cap and trade program to help achieve the greenhouse gas emissions reductions goals established in section 216H.02, subdivision 1.

Subd. 2. **Principles.** The legislature recognizes that the atmosphere and climate are common assets, and damage to them by greenhouse gas emissions are costs now borne by the public. Capping greenhouse gas emissions places a market value on emissions, and that market value should accrue to the public. It is the intent of the legislature that any cap and trade program:

(1) should cover as many emitting sectors as is administratively feasible, but exclude sectors from which emissions cannot be reliably quantified;

(2) should auction allowances to the extent economically feasible and direct all proceeds from any auction toward the public benefit;

(3) should allow auctions to be phased in if necessary to protect consumers and industries from sudden price increases, provided that protections are in place to ensure that windfall profits do not accrue to entities allocated allowances during the transition;

(4) should ensure that the emissions reductions necessary to meet the cap come from the capped sectors themselves rather than from sectors outside the cap;

(5) should not increase the emissions cap by allowing the issuance of allowances beyond the limits specified in section 216H.02; and

(6) should provide for equity to communities at risk of disproportionate economic and environmental impacts.

Sec. 3. **[216H.12] MIDWESTERN GREENHOUSE GAS ACCORD.**

(a) By December 1, 2008, the commissioner of commerce and the commissioner of the Pollution Control Agency shall submit a report to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy policy, environmental policy, and transportation policy describing the status of the development of a model rule establishing a regional cap and trade program under the Midwestern Greenhouse Gas Accord. The report must address the degree to which any model rule being developed under the Midwestern Greenhouse Gas Accord incorporates the principles set forth in section 216H.11, and will operate in a time frame that will allow Minnesota to meet its greenhouse gas emissions-reduction goals under section 216H.02, subdivision 1. If a model rule incorporating those principles and in accord with the state's emissions-reduction goals is not yet ready for adoption, or is unlikely to be adopted, the report must identify options for Minnesota to supplement the regional agreement with state policies, to join another regional cap and trade program, or to implement a cap and trade program in Minnesota alone.

(b) The senate and house of representatives, in accordance with the rules of their respective bodies, must appoint a bipartisan team of six legislators to serve in an advisory role to the governor's Midwestern Greenhouse Gas Accord stakeholder group. The legislators must receive regular briefings from the stakeholder group and have an opportunity to participate as observers in meetings of the regional negotiations and may offer advice.

(c) Any cap and trade agreements entered into are not effective in Minnesota until enacted into law.

Sec. 4. **[216H.13] STUDIES.**

Subdivision 1. **Governance study.** The University of Minnesota shall issue a request for proposals for a study that describes and analyzes several options regarding how decisions on expenditures of revenues captured by any cap and trade program may be made. The study must examine:

(1) the role that the legislature, citizens, technical experts, and state agencies may play in decision making; and

(2) innovative decision-making structures and processes, including the Legislative-Citizens Commission on Minnesota Resources, and other examples in Minnesota and other states and countries that may offer useful models to consider.

The report must be submitted to the University of Minnesota by January 1, 2009.

Subd. 2. **Economic and emissions study.** (a) The commissioner of commerce shall conduct a study of the economic, environmental, and public health costs and benefits of a cap and trade program incorporating the principles established in section 216H.11. The study must consider the impact of the cap and trade program on individual industrial sectors subject to the program and on the state economy and consumers, and how expenditures of any auction revenues on the measures identified in subdivision 3 can reduce the economic costs and increase the economic, environmental, and public health benefits.

(b) The study must include:

(1) estimates of the costs to entities covered by the cap to buy allowances or reduce greenhouse gas emissions;

(2) estimates of the impact of the program on energy costs, the impact of energy cost changes on businesses and households, and recommendations on how to avoid regressive impacts;

(3) projections of likely revenues if allowances are auctioned;

(4) a detailed estimate of the degree to which different levels of expenditures of auction proceeds on the options listed under subdivision 3, clauses (1) to (6), would:

(i) reduce greenhouse gas emissions;

(ii) reduce economic costs to industry and households;

(iii) yield jobs and other economic benefits by stimulating economic activity, promoting the growth of new businesses, reducing the amount of money leaving the state to purchase fossil fuels, or other means;

(iv) result in environmental and public health co-benefits by reducing pollutants other than greenhouse gases, improving habitat, or other means; and

(v) otherwise meet the goals identified in subdivision 4;

(5) discussion of the potential for any allowances allocated under the program to result in windfall profits rather than be used to reduce consumer prices;

(6) analysis of ways to avoid putting Minnesota industries subject to the cap and trade program at a competitive disadvantage with competitors not subject to comparable regulation;

(7) options for criteria that decision makers can use to determine how to allocate expenditures among the spending options listed under subdivision 3, balancing the goals set forth in subdivision 4;

(8) analysis of various mechanisms for protecting job loss in energy-intensive industries subject to competition from outside the Midwestern Greenhouse Gas Accord region, including steel, cement, paper, pulp, aluminum, and chemicals, including an analysis of possible mechanisms to account for the greenhouse gas emissions associated with the production and transportation of imported goods; and

(9) analysis of various mechanisms to provide for equity to communities at risk of disproportionate economic or environmental impacts.

(c) The study must consider the data and policy recommendations developed through the Minnesota Climate Change Advisory Group as well as the growing literature related to reducing greenhouse gas emissions.

(d) By January 1, 2009, the study must be submitted to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy policy and environmental policy.

Subd. 3. **Expenditures to be studied.** (a) The study required under subdivision 2 must consider the impacts of the following types of expenditures:

(1) direct per capita rebates to Minnesotans;

(2) grants and incentives to consumers to invest in energy efficiency and utilize renewable energy sources, or in other technologies, products or practices that reduce energy costs, energy consumption, and greenhouse gas emissions;

(3) financial assistance to businesses that install technologies that reduce their facilities' greenhouse gas emissions, targeting energy-intensive industries facing competitors not subject to comparable regulation including, but not limited to, steel, pulp, paper, cement, chemicals, and aluminum;

(4) investments in public infrastructure that reduce greenhouse gas emissions;

(5) investments in worker training and retraining programs; and

(6) incentives for carbon sequestration on forest land and farmland.

(b) A majority of expenditures must be directed to uses under paragraph (a), clauses (1) and (2).

Subd. 4. **Study criteria.** The study required under subdivision 2 must determine the extent to which expenditures on the measures identified in subdivision 3 assist Minnesota's transition to a low greenhouse gas-emitting economy and increase the economic gains and reduce the dislocating impacts of the transition. Specifically, the study must discuss the extent to which expenditures meet the following goals:

(1) produce cost-effective emissions reductions;

(2) increase sustainable economic development, job creation, and job growth;

(3) reduce greenhouse gas emissions in sectors that do not participate in the cap and trade program;

(4) reduce disruptive economic impacts of the transition on workers, businesses, and consumers;

(5) equitably distribute the costs and benefits among state residents, communities, and economic sectors;

(6) assist low-income and other consumers to reduce their costs associated with greenhouse gas emissions; and

(7) protect and enhance public health, environmental quality, wildlife habitat, and the state's natural resources.

Sec. 5. **APPROPRIATION.**

(a) \$...... is appropriated from the general fund to the Board of Regents of the University of Minnesota to be used for the purposes of completing the study under Minnesota Statutes, section 216H.13, subdivision 1.

(b) \$...... is appropriated from the general fund to the commissioner of commerce for the purposes of completing the study under Minnesota Statutes, section 216H.13, subdivision 2.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to environment; establishing principals of a cap and trade program for greenhouse gas emissions; requiring studies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216H."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Commerce and Labor.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 3204, A bill for an act relating to traffic regulations; providing for exemptions to vehicle window glazing restrictions; amending Minnesota Statutes 2006, section 169.71, subdivision 4.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 168.27, is amended by adding a subdivision to read:

Subd. 30. **Glazing material.** A new motor vehicle dealer, used motor vehicle dealer, or motor vehicle lessor may not sell or lease a motor vehicle that does not meet the glazing material requirements under section 169.71, subdivision 4.

Sec. 2. Minnesota Statutes 2006, section 169.71, subdivision 4, is amended to read:

Subd. 4. **Glazing material; prohibitions and exceptions.** (a) No person shall drive or operate any motor vehicle required to be registered in the state of Minnesota upon any street or highway under the following conditions:

(1) when the windshield is composed of, covered by, or treated with any material which has the effect of making the windshield more reflective or in any other way reducing light transmittance through the windshield;

(2) when any window on the vehicle is composed of, covered by, or treated with any material that has a highly reflective or mirrored appearance;

(3) when any side window or rear window is composed of or treated with any material so as to obstruct or substantially reduce the driver's clear view through the window or has a light transmittance of less than 50 percent plus or minus three percent in the visible light range or a luminous reflectance of more than 20 percent plus or minus three percent; or

(4) when any material has been applied after August 1, 1985, to any motor vehicle window without an accompanying permanent marking which indicates the percent of transmittance and the percent of reflectance afforded by the material. The marking must be in a manner so as not to obscure vision and be readable when installed on the vehicle.

(b) This subdivision does not apply to glazing materials which:

(1) have not been modified since the original installation, ~~nor to original replacement windows and windshields, that were originally installed or replaced~~ or original replacement if:

(i) the original installation was performed by a first-stage manufacturer, as defined in section 168.011, subdivision 31; and

(ii) the original installation or replacement was in conformance with Federal Motor Vehicle Safety Standard 205;

(2) are required to satisfy prescription or medical needs of the driver of the vehicle or a passenger if:

(i) the driver or passenger is in possession of the prescription or a physician's statement of medical need;

(ii) the prescription or statement specifically states the minimum percentage that light transmittance may be reduced to satisfy the prescription or medical needs of the patient; and

(iii) the prescription or statement contains an expiration date, which must be no more than two years after the date the prescription or statement was issued; or

(3) are applied to:

(i) the rear windows of a pickup truck as defined in section 168.011, subdivision 29;

(ii) the rear windows or the side windows on either side behind the driver's seat of a van as defined in section 168.011, subdivision 28;

(iii) the side and rear windows of a vehicle used to transport human remains by a funeral establishment holding a license under section 149A.50; or

(iv) the side and rear windows of a limousine as defined in section 168.011, subdivision 35; or

(v) the rear and side windows of a police vehicle."

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 3347, A bill for an act relating to education; clarifying the appeals process for adequate yearly progress designations; amending Minnesota Statutes 2007 Supplement, section 120B.36, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 24, after the period, insert "The commissioner must notify the school or district of the date, time, and place of the hearing at least 21 days before the hearing date. Within 30 days after the hearing, the appeals advisory committee must submit a written recommendation to the commissioner regarding whether to grant or deny the appeal and include the reasons for its recommendation. The commissioner must finally decide an appeal based on an objective evaluation and must make and transmit to the school or district the commissioner's evaluation and final decision within 15 days of receiving the advisory committee recommendation."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

H. F. No. 3391, A bill for an act relating to health care reform; increasing affordability and continuity of care for state health care programs; modifying health care provisions; providing subsidies for employee share of employer-subsidized insurance; establishing the Minnesota Health Insurance Exchange; requiring certain employers to offer Section 125 Plan; establishing the Health Care Transformation Commission; creating an affordability standard; requiring mandated reports; appropriating money; amending Minnesota Statutes 2006, sections 62A.65, subdivision 3; 62E.141; 62L.12, subdivisions 2, 4; 256.01, by adding subdivisions; 256B.061; 256B.69, by adding a subdivision; 256D.03, by adding a subdivision; 256L.05, by adding a subdivision; 256L.06, subdivision 3; 256L.07, subdivision 3; 256L.15, by adding a subdivision; Minnesota Statutes 2007 Supplement, sections 13.46, subdivision 2; 256B.056, subdivision 10; 256L.03, subdivisions 3, 5; 256L.04, subdivisions 1, 7; 256L.05, subdivision 3a; 256L.07, subdivision 1; 256L.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 256B; proposing coding for new law as Minnesota Statutes, chapter 62U; repealing Minnesota Statutes 2006, section 256L.15, subdivision 3.

Reported the same back with the following amendments:

Page 5, line 12, after "commissioner" insert "in contracts with health care homes"

Page 6, line 15, after the period, insert "If newly established, membership terms and compensation and removal of members are governed by section 15.059. The committee does not expire."

Page 6, line 31, before "Annual" insert "Report on standards;" and before "The" insert:

"(a) By November 15, 2008, the commissioners must report drafts of certification standards, care complexity thresholds, and other criteria, procedures, and payment amounts necessary to implement subdivision 1 to the chairs and lead minority members of the legislative committees with jurisdiction over health care policy and finance. These standards, thresholds, criteria, procedures, and payment amount are not subject to chapter 14, and section 14.386 does not apply.

(b)"

Page 7, line 31, after the period, insert "Before establishing or amending general standards for data collection under this paragraph, the commissioners must report the draft standards to the chairs and lead minority members of the legislative committees with jurisdiction over health care policy and finance. Standards for data collection are not subject to chapter 14, and section 14.386 does not apply."

Page 8, line 6, after "establish" insert "in contracts with demonstration providers"

Page 36, line 20, delete "members" and insert "nonlegislators"

Page 36, line 21, delete "members" and insert "nonlegislators"

Page 36, line 28, delete "member" and insert "nonlegislator"

Page 36, line 30, delete "member" and insert "nonlegislator"

Page 39, line 28, delete "members" and insert "nonlegislators"

Page 39, line 30, delete "members" and insert "nonlegislators"

Page 41, line 18, delete everything after the period

Page 41, delete lines 19 to 21

Page 48, line 17, delete "November 1, 2008" and insert "January 15, 2009"

Page 48, line 18, delete "develop" and insert "report to the legislature in the manner specified in section 3.195 on rules to implement"

Page 48, line 22, after the period, insert "Before January 1, 2010, the commission must adopt rules necessary to implement this payment system."

Page 49, lines 12, 15, 17, and 19, delete "2009" and insert "2010"

Page 50, line 9, after "62U.11" insert ", when established,"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Public Safety and Civil Justice.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 3412, A bill for an act relating to health; changing a provision for federally qualified health centers; amending Minnesota Statutes 2007 Supplement, section 145.9269, subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 3428, A bill for an act relating to landlord and tenant; modifying right of tenant to pay utility bills; amending Minnesota Statutes 2006, section 504B.215, subdivision 3.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Local Government and Metropolitan Affairs.

The report was adopted.

Thissen from the Committee on Health and Human Services to which was referred:

H. F. No. 3435, A bill for an act relating to human services; making technical changes; amending children's mental health, health care, and miscellaneous provisions; amending Minnesota Statutes 2006, sections 254A.035, subdivision 2; 254A.04; 256.0451, subdivision 24; 256.046; 256B.0943, subdivisions 1, 2, 7; 256L.07, subdivision 5; Minnesota Statutes 2007 Supplement, sections 256.01, subdivisions 2, 2b; 256.476, subdivisions 4, 5; 256B.057, subdivision 2c; 256B.06, subdivision 4; 256B.0655, subdivision 12; 256B.0943, subdivisions 6, 9, 12; 256D.03, subdivision 3; 256L.15, subdivision 2; repealing Minnesota Statutes 2006, section 256B.039.

Reported the same back with the following amendments:

Page 12, delete section 1

Page 28, after line 24, insert:

"Sec. 9. Minnesota Statutes 2006, section 256B.093, subdivision 1, is amended to read:

Subdivision 1. **State traumatic brain injury program.** The commissioner of human services shall:

- (1) maintain a statewide traumatic brain injury program;
- (2) supervise and coordinate services and policies for persons with traumatic brain injuries;
- (3) contract with qualified agencies or employ staff to provide statewide administrative case management and consultation;
- (4) maintain an advisory committee to provide recommendations in reports to the commissioner regarding program and service needs of persons with traumatic brain injuries;
- (5) investigate the need for the development of rules or statutes for the traumatic brain injury home and community-based services waiver;
- (6) investigate present and potential models of service coordination which can be delivered at the local level; and
- (7) the advisory committee required by clause (4) must consist of no fewer than ten members and no more than 30 members. The commissioner shall appoint all advisory committee members to one- or two-year terms and appoint one member as chair. Notwithstanding section 15.059, subdivision 5, the advisory committee does not terminate until June 30, ~~2008~~ 2012."

Page 34, delete section 3

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations, Reform, Technology and Elections.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 3475, A bill for an act relating to mortgages; amending provisions relating to foreclosure; amending Minnesota Statutes 2006, sections 580.02; 580.041, subdivision 2; 580.06; 580.07; 580.12; 580.23, subdivision 1; 580.25; 580.28; 580.30; 581.10; 582.03; 582.031; 582.032, subdivision 2; Minnesota Statutes 2007 Supplement, sections 510.05; 550.19; 550.22; 550.24; 580.24; Laws 2004, chapter 263, section 26; proposing coding for new law in Minnesota Statutes, chapter 580.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 507.092, subdivision 1, is amended to read:

Subdivision 1. **To get tax statements.** (a) No contract for deed or deed conveying fee title to real estate shall be recorded by the county recorder or registered by the registrar of titles until the name and address of the grantee, to whom future tax statements should be sent, is printed, typewritten, stamped or written on it in a legible manner. An instrument complies with this subdivision if it contains a statement in the following form: "Tax statements for the real property described in this instrument should be sent to:

..... (legal name of grantee) (residential or business address)."

(b) The name provided under paragraph (a) must be the legal name of the grantee and the address must be the residential or business address of the grantee.

EFFECTIVE DATE. This section applies to a contract for deed or deed conveying fee title to real estate executed on or after August 1, 2008.

Sec. 2. Minnesota Statutes 2007 Supplement, section 510.05, is amended to read:

510.05 LIMITATIONS.

The amount of the homestead exemption shall not be reduced by and shall not extend to any mortgage lawfully obtained thereon, to any valid lien for taxes or assessments, to a claim filed pursuant to section 246.53 or 256B.15, to any charge arising under the laws relating to laborers or material suppliers' liens or to any charge obtained under section 481.13 pursuant to a valid waiver of the homestead exemption.

Sec. 3. Minnesota Statutes 2007 Supplement, section 550.19, is amended to read:

550.19 SERVICE ON JUDGMENT DEBTOR.

If the sale is of personal property, at or before the time of posting notice of sale, the officer shall serve a copy of the execution and inventory, and of the notice, upon the judgment debtor, if the debtor is a resident of the county, in the manner required by law for the service of a summons in a civil action. If the sale is of real property, a judgment creditor must, at least four weeks before the appointed time of sale, serve a copy of the notice of sale in like manner as a summons in a civil action in the district court upon the judgment debtor if the judgment debtor is a resident of the county and upon any person in possession of the homestead other than the judgment debtor. In addition, the notice of sale must also be served upon all persons who have recorded a request for notice in accordance with section 580.032.

Sec. 4. Minnesota Statutes 2007 Supplement, section 550.22, is amended to read:

550.22 CERTIFICATE OF SALE OF REALTY.

When a sale of real property is made upon execution, or pursuant to a judgment or order of a court, unless otherwise specified therein, the officer shall execute and deliver to the purchaser a certificate containing:

- (1) a description of the execution, judgment, or order;
- (2) a description of the property;
- (3) the date of the sale and the name of the purchaser;
- (4) the price paid for each parcel separately;
- (5) if subject to redemption, the time allowed by law therefor;
- (6) the interest rate in effect on the date of the sheriff's sale; and
- ~~(6)~~ (7) the amount of the debtor's homestead exemption, if any, as determined under section 550.175.

Such certificate shall be executed, acknowledged, and recorded in the manner provided by law for a conveyance of real property, shall be prima facie evidence of the facts stated, and, upon expiration of the time for redemption, shall operate as a conveyance to the purchaser of all the right, title, and interest of the person whose property is sold in and to the same, at the date of the lien upon which the same was sold. Any person desiring to perpetuate evidence that any real property sold under this section was not homestead real property may procure an affidavit by the person enforcing the judgment, or that person's attorney, or someone having knowledge of the facts, setting forth that the real property was not homestead real property. The affidavit shall be recorded by the county recorder or registrar of titles, and the affidavit and certified copies of the affidavit shall be prima facie evidence of the facts stated in the affidavit.

Sec. 5. Minnesota Statutes 2007 Supplement, section 550.24, is amended to read:

550.24 REDEMPTION OF REALTY.

(a) Upon the sale of real property, if the estate sold is less than a leasehold of two years' unexpired term, the sale is absolute. In all other cases the property sold, or any portion thereof which has been sold separately, is subject to redemption as provided in this section.

(b) The judgment debtor, the debtor's heirs, successors, legal representatives, or assigns may redeem within one year after the day of sale, or order confirming sale if the property is a homestead, by paying, to the purchaser or the officer making the sale, the amount for which the property was sold with interest at the rate stated in the certificate of sale, on the amount of the sale in excess of the homestead exemption, at the judgment rate and if the purchaser is a creditor having a prior lien, the amount thereof, with interest, on the amount of the sale in excess of the homestead exemption, at the judgment rate together with any costs as provided in sections 582.03 and 582.031.

(c) If there is no redemption during the debtor's redemption period, creditors having a lien, legal or equitable, on the property or some part thereof, subsequent to that on which it was sold may redeem in the manner provided for redemption by creditors of the mortgagor in section 580.24, in the order of their respective liens.

(d) If the property is abandoned during the judgment debtor's redemption period, the person holding the sheriff's certificate may request that the court reduce the judgment debtor's redemption period to five weeks using the procedures provided for a foreclosure by action in section 582.032, subdivision 5.

Sec. 6. Minnesota Statutes 2006, section 580.02, is amended to read:

580.02 REQUISITES FOR FORECLOSURE.

To entitle any party to make such foreclosure, it is requisite:

(1) that some default in a condition of such mortgage has occurred, by which the power to sell has become operative;

(2) that no action or proceeding has been instituted at law to recover the debt then remaining secured by such mortgage, or any part thereof, or, if the action or proceeding has been instituted, that the same has been discontinued, or that an execution upon the judgment rendered therein has been returned unsatisfied, in whole or in part;

(3) that the mortgage has been recorded and, if it has been assigned, that all assignments thereof have been recorded; provided, that, if the mortgage is upon registered land, it shall be sufficient if the mortgage and all assignments thereof have been duly registered; and

(4) before the notice of pendency as required under section 580.032 is recorded, the party has complied with section 580.021.

Sec. 7. **[580.021] FORECLOSURE PREVENTION COUNSELING.**

Subdivision 1. **Applicability.** This section applies to foreclosure of mortgages under this chapter on property consisting of one to four family dwelling units, one of which the owner occupies as the owner's principal place of residency on the date of service of the notice of sale of the owner.

Subd. 2. **Requirement to provide notice of opportunity for counseling.** When the written notice required under section 47.20, subdivision 8, is provided and before the notice of pendency under section 580.032, subdivision 3, is filed, a party foreclosing on a mortgage must provide to the mortgagor information contained in a form prescribed in section 580.022, subdivision 1, that:

(1) foreclosure prevention counseling services provided by an authorized foreclosure prevention agency are available; and

(2) notice that the party will transmit the homeowner's name, address, and telephone number to an approved foreclosure prevention agency.

Nothing in this subdivision prohibits the notices required by this subdivision from being provided concurrently with the written notice required under section 47.20, subdivision 8.

For the purposes of this section, an "authorized foreclosure counseling agency" is a nonprofit agency approved by the Minnesota Housing Finance Agency or the United States Department of Housing and Urban Development to provide foreclosure prevention counseling services.

Subd. 3. **Notification to authorized counseling agency.** The party entitled to foreclose shall, within one week of sending the notice prescribed in section 580.022, provide to the appropriate authorized foreclosure prevention agency the mortgagor's name, address, and most recent known telephone number.

Subd. 4. **Notice of provision of counseling; request for contact information.** (a) An authorized foreclosure prevention agency that contacts or is contacted by a mortgagor or the mortgagor's authorized representative and agrees to provide foreclosure prevention assistance services to the mortgagor or representative must provide the form prescribed in section 580.022 to the mortgagee. The form serves as notice to the mortgagee that the mortgagor is receiving foreclosure prevention counseling assistance.

(b) The mortgagee must return the form to the authorized foreclosure prevention agency within 15 days of receipt of the form with the name and telephone number of the mortgagee's agent. The agent must be a person authorized by the mortgagee to:

(1) discuss with the authorized foreclosure prevention agency or the mortgagor the terms of the mortgage; and

(2) negotiate any resolution to the mortgagor's default.

(c) Nothing in this subdivision requires a mortgagee to reach a resolution relating to the mortgagor's default.

Sec. 8. **[580.022] FORMS.**

Subdivision 1. **Counseling form.** The notice required under section 580.021, subdivision 2, clause (2), must be printed on colored paper that is other than the color of any other document provided with it and must appear substantially as follows:

"PREFORECLOSURE NOTICE
Foreclosure Prevention Counseling

Why You Are Getting This Notice

We do not want you to lose your home and your equity. Government-approved nonprofit agencies are available to, if possible, help you prevent foreclosure.

We have given your contact information to an authorized foreclosure prevention counseling agency to contact you to help you prevent foreclosure.

Who Are These Foreclosure Prevention Counseling Agencies

They are nonprofit agencies who are experts in housing and foreclosure prevention counseling and assistance. They are experienced in dealing with lenders and homeowners who are behind on mortgage payments and can help you understand your options and work with you to address your delinquency. They are approved by either the Minnesota Housing Finance Agency or the United States Department of Housing and Urban Development. They are not connected with us in any way.

Which Agency Will Contact You

[insert name, address, and telephone number of agency]

You can also contact them directly."

Subd. 2. **Notice of Counseling and Request for Contact Information form.** The notice required in section 580.021, subdivision 4, must be substantially in the following form:

"PREFORECLOSURE NOTICE

**NOTICE OF PROVISION OF FORECLOSURE PREVENTION COUNSELING
AND REQUEST FOR MORTGAGEE CONTACT INFORMATION**

[Insert agency name] has been contacted by your customer regarding foreclosure prevention counseling in response to the current foreclosure proceedings involving the customer's real property. Please provide the following contact information pursuant to Minnesota Statutes, section 580.021, subdivision 4, by completing and returning this form via fax [insert fax number] or via e-mail at [insert e-mail address].

To be completed by Counseling Agency

Consumer Name: _____

CONSUMER CONTACT INFORMATION: _____

Address: _____

City, State, Zip Code: _____

Daytime Phone: _____

Nighttime Phone: _____

PROPERTY AT RISK FOR FORECLOSURE (if differs from above):

Address: _____

City, State, Zip Code: _____

COUNSELING AGENCY CONTACT:

Name: _____

Agency: _____

Phone: _____

Fax: _____

E-mail: _____

To be completed by Lender

Contact Name: _____

Address: _____

City, State, Zip Code: _____

Phone: _____

Fax: _____

E-mail: _____ "

Sec. 9. Minnesota Statutes 2006, section 580.03, is amended to read:

580.03 NOTICE OF SALE; SERVICE ON OCCUPANT.

Commencing at least six weeks before the appointed time of sale, three weeks' published notice shall be given that such mortgage will be foreclosed by sale of the mortgaged premises or some part thereof, and at least four weeks before the appointed time of sale a copy of such notice shall be served in like manner as a summons in a civil action in the district court upon the person in possession of the mortgaged premises, if the same are actually occupied. If there be a building on such premises used by a church or religious corporation, for its usual meetings, service upon any officer or trustee of such corporation shall be a sufficient service upon it. The notice required by ~~section~~ sections 580.041 and 580.042 must be served simultaneously with the notice of foreclosure required by this section.

Sec. 10. Minnesota Statutes 2006, section 580.041, subdivision 2, is amended to read:

Subd. 2. **Content of notice.** The notice required by this section must appear substantially as follows:

"Help For Homeowners in Foreclosure

~~Minnesota law requires that we send you this notice about the foreclosure process. Please read it carefully.~~

The attorney preparing this foreclosure is: _____

(Attorney name, address, phone)

It is being prepared for:

(Lender name, loss mitigation phone number)

AS OF [insert date], this lender says that you owe \$[insert dollar amount] to bring your mortgage up to date. You must pay this amount to keep your house from going through a sheriff's sale. The sheriff's sale is scheduled for [insert date] at [insert time] at [insert place].

Mortgage foreclosure is a complex process. Some People may approach contact you about "saving" with advice and offers to help "save" your home. You should be careful about any such promises.

The state encourages you to become informed about your options in foreclosure before entering into any agreements with anyone in connection with the foreclosure of your home. There are government agencies and nonprofit organizations that you may contact for helpful information about the foreclosure process. For the name and telephone number of an organization near you please call the Minnesota Housing Finance Agency (MHFA) at (insert telephone number). The state does not guarantee the advice of these agencies.

Do not delay dealing with the foreclosure because your options may become more limited as time passes."

Remember: It is important that you learn as much as you can about foreclosure and your situation. Find out about all your options before you make any agreements with anyone about the foreclosure of your home.

Getting Help

As soon as possible, you should contact your lender at the above number to talk about things you might be able to do to prevent foreclosure. You should also consider contacting the foreclosure prevention counselor in your area. A foreclosure prevention counselor can answer your questions, offer free advice, and help you create a plan which makes sense for your situation.

Contact the Minnesota Home Ownership Center at 651-659-9336 or 866-462-6466 or www.hocmn.org to get the phone number and location of the nearest counseling organization. Call today. The longer you wait, the fewer options you may have for a desirable result.

Information About the Foreclosure Process

You do not need to move at the time of the sheriff's sale. After the sheriff's sale you have the right to "redeem." Redeem means that you pay off the entire loan amount plus fees to keep your house. You can keep living in your home for a period of time. This is called a "redemption period." The redemption period is [insert number of months] months after the sheriff's sale. This redemption period is your chance to try and sell your home or refinance it with a different loan. You can also pay the redemption amount with any other funds you have available. At the end of the redemption period you will have to leave your home. If you do not, the person or company that bid on your home at the sheriff's sale has the right to file an eviction against you in district court."

Sec. 11. **[580.042] FORECLOSURE ADVICE NOTICE TO TENANT.**

Subdivision 1. **Applicability.** This section applies to foreclosure of mortgages under this chapter.

Subd. 2. **Form of delivery of notice.** The notice required by this section must be in 14-point boldface type and must be printed on colored paper that is other than the color of the notice of foreclosure and of the notice to be given under section 580.041, subdivision 1b, and that does not obscure or overshadow the content of the notice. The title of the notice must be in 20-point boldface type. The notice must be on its own page.

Subd. 3. **Content of notice.** The notice required by this section must appear substantially as follows.

"Foreclosure: Advice to Tenants

You are renting in a property that is in foreclosure. Minnesota law requires that we send you this notice about the foreclosure process. Please read it carefully.

The mortgage foreclosure does not change the terms of your lease. You and your landlord must continue to follow the terms of your lease, including the rights and responsibilities of you and your landlord. You must keep paying rent unless you have a legal reason to withhold it. Your landlord must keep the property repaired. Utilities must be paid under the terms of your lease or under state law.

Moving out of the property early might be a violation of your lease. The date of the sheriff's foreclosure sale is in the attached foreclosure notice. In most cases you do not need to move from the property before the sheriff's foreclosure sale. Read your lease to see if it says anything about foreclosure and about the rights you may have if the property is in foreclosure. If you have a month-to-month lease, the foreclosure notice does not change the rules for ending your lease. You and your landlord must still give legal notice to end your lease.

In most cases, your landlord has six months after the date of the sheriff's foreclosure sale to pay off the mortgage. This is called the "redemption period." Read the attached foreclosure notice to determine the length of the redemption period. You cannot be asked to move during the redemption period except for lease violations or if your lease expires during the redemption period. If your landlord stops the foreclosure, you may not have to move from the property. If your landlord does not stop the foreclosure, there will be a new owner of the property at the end of the redemption period.

The new owner may have the legal right to ask you to move even if your lease is not over. But, the new owner must still give you a written notice stating that the new owner wants you to move.

Do not wait to get information about foreclosure. Mortgage foreclosure is a complicated process. It is important you learn about your rights as a renter when there is a mortgage foreclosure. You may have fewer options if you wait too long. There are government agencies and nonprofit organizations that you may contact for helpful information about the foreclosure process. For the name and telephone number of an organization near you, please call the legal aid office or bar association office in your county. You also can find information on tenant rights at HOME Line at (866) 866-3546 and Law Help Minnesota at <http://www.LawHelpMN.org>. The state of Minnesota does not guarantee the advice of these agencies and organizations."

Subd. 4. **Affidavit.** Any person may establish compliance with or inapplicability of this section by recording, with the county recorder or registrar of titles, an affidavit by a person having knowledge of the facts, stating that the notice required by this section has been delivered in compliance with this section. The affidavit and a certified copy of a recorded affidavit is prima facie evidence of the facts stated in the affidavit. The affidavit may be recorded regarding any foreclosure sale, including foreclosure sales that occurred prior to August 1, 2008, and may be recorded separately or as part of the record of a foreclosure.

Subd. 5. **Validation of foreclosure sales; remedy for violation.** (a) No mortgage foreclosure sale under this chapter is invalid because of failure to comply with this section.

(b) The remedy for a violation of this section is limited to actual damages caused by the violation, not to exceed \$1,000, and is available only to the tenant of the mortgaged premises who occupied the mortgaged premises during the redemption period of the mortgagor. Any legal action brought to enforce the provisions of this section must be commenced by the last day of the redemption period of the mortgagor. A person is not liable in an action for a violation of this section if the person shows by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide error and the person adopted and maintained reasonable procedures to avoid the error. A plaintiff does not have cause of action if the defendant has complied with section 580.03.

Sec. 12. Minnesota Statutes 2006, section 580.06, is amended to read:

580.06 SALE, HOW AND BY WHOM MADE.

The sale shall be made by the sheriff or the sheriff's deputy at public vendue to the highest bidder, in the county in which the premises to be sold, or some part thereof, are situated, between 9:00 a.m. and ~~the setting of the sun~~ 4:00 p.m.

Sec. 13. Minnesota Statutes 2006, section 580.07, is amended to read:

580.07 POSTPONEMENT.

The sale may be postponed, from time to time, by the party conducting the foreclosure, by inserting a notice of the postponement, as soon as practicable, in the newspaper in which the original advertisement was published, ~~and continuing the publication until the time to which the sale is postponed,~~ at the expense of the party requesting the postponement.

Sec. 14. Minnesota Statutes 2006, section 580.12, is amended to read:

580.12 CERTIFICATE OF SALE; RECORD; EFFECT.

When any sale of real property is made under a power of sale contained in any mortgage, the officer shall make and deliver to the purchaser a certificate, executed in the same manner as a conveyance, containing:

- (1) a description of the mortgage;
- (2) a description of the property sold;
- (3) the price paid for each parcel sold;
- (4) the time and place of the sale, and the name of the purchaser;
- (5) the interest rate in effect on the date of the sheriff's sale; and

~~(5)~~ (6) the time allowed by law for redemption, provided that if the redemption period stated in the certificate is five weeks and a longer redemption period was stated in the published notice of foreclosure sale, a certified copy of the court order entered under section 582.032, authorizing reduction of the redemption period to five weeks, must be attached to the certificate.

A certificate which states a five-week redemption period must be recorded within ten days after the sale; any other certificate must be recorded within 20 days after the sale. When so recorded, upon expiration of the time for redemption, the certificate shall operate as a conveyance to the purchaser or the purchaser's assignee of all the right, title, and interest of the mortgagor in and to the premises named therein at the date of such mortgage, without any other conveyance. A certificate must not contain a time allowed for redemption that is less than the time specified by section 580.23, 582.032, or 582.32, whichever applies.

Sec. 15. Minnesota Statutes 2006, section 580.23, subdivision 1, is amended to read:

Subdivision 1. **Six-month redemption period.** When lands have been sold in conformity with the preceding sections of this chapter, the mortgagor, the mortgagor's personal representatives or assigns, within six months after such sale, except as otherwise provided in subdivision 2 or section 582.032 or 582.32, may redeem such lands, as hereinafter provided, by paying the sum of money for which the same were sold, with interest from the time of sale at the rate provided to be paid on the mortgage debt as stated in the certificate of sale and, if no rate be provided in the ~~mortgage note~~ certificate of sale, at the rate of six percent per annum, together with any further sums which may be payable as provided in sections 582.03 and 582.031. Delivery of funds and documents for redemption must be made at the normal place of business of the recipient, on days other than Sunday, Saturday, and legal holidays, between the hours of 9:00 a.m. and 4:00 p.m. Regardless of the length of the redemption period, the sheriff may accept a specific sum less than the full amount due for redemption by the mortgagor upon receipt by the sheriff, prior to expiration of the redemption period, of written confirmation from the holder of the sheriff's certificate or the attorney for the holder of the sheriff's certificate that the holder of the sheriff's certificate has agreed to accept a specific sum less than the full amount due for redemption.

Sec. 16. Minnesota Statutes 2007 Supplement, section 580.24, is amended to read:

580.24 REDEMPTION BY CREDITOR.

(a) If no redemption is made by the mortgagor, the mortgagor's personal representatives or assigns, the most senior creditor having a legal or equitable lien upon the mortgaged premises, or some part of it, subsequent to the foreclosed mortgage, may redeem within seven days after the expiration of the redemption period determined under section 580.23 or 582.032, whichever is applicable; and each subsequent creditor having a lien may redeem, in the order of priority of their respective liens, within seven days after the time allowed the prior lienholder by paying the amount required under this section. However, no creditor is entitled to redeem unless, ~~within one week or more~~ prior to the expiration of the period allowed for redemption by the mortgagor, the creditor:

(1) records with each county recorder and registrar of titles where the foreclosed mortgage is recorded a notice of the creditor's intention to redeem;

(2) records ~~in each office with each county recorder and registrar of titles~~ where the notice of the creditor's intention to redeem is recorded all documents necessary to create the lien on the mortgaged premises and to evidence the creditor's ownership of the lien, including a copy of any money judgment necessary to create the lien; and

(3) after complying with clauses (1) and (2), delivers to the sheriff who conducted the foreclosure sale or the sheriff's successor in office a copy of each of the documents required to be recorded under clauses (1) and (2), with the office, date and time of filing for record stated on the first page of each document.

The sheriff shall maintain for public inspection all documents delivered to the sheriff and shall note the date of delivery on each document. The sheriff may charge a fee of \$100 for the documents delivered to the sheriff relating to each lien. The sheriff shall maintain copies of documents delivered to the sheriff for a period of six months after the end of the mortgagor's redemption period.

(b) Saturdays, Sundays, legal holidays, and the first day following the expiration of the prior redemption period must be included in computing the seven-day redemption period. When the last day of the period falls on Saturday, Sunday, or a legal holiday, that day must be omitted from the computation. The order of redemption by judgment creditors subsequent to the foreclosed mortgage shall be determined by the order in which their judgments were entered as memorials on the certificate of title for the foreclosed premises or docketed in the office of the district court administrator if the property is not registered under chapter 508 or 508A, regardless of the homestead status of the property. All mechanic's lienholders who have coordinate liens shall have one combined seven-day period to redeem.

(c) The amount required to redeem from the holder of the sheriff's certificate of sale is the amount required under section 580.23. The amount required to redeem from a person holding a certificate of redemption is:

- (1) the amount paid to redeem as shown on the certificate of redemption; plus
- (2) interest on that amount to the date of redemption; plus
- (3) the amount claimed due on the person's lien, as shown on the affidavit under section 580.25, clause (3).

The amount required to redeem may be paid to the holder of the sheriff's certificate of sale or the certificate of redemption, as the case may be, or to the sheriff for the holder.

Sec. 17. Minnesota Statutes 2006, section 580.25, is amended to read:

580.25 REDEMPTION, HOW MADE.

Redemption shall be made as provided in this section.

The person desiring to redeem shall pay the amount required by law for the redemption, and shall produce to the person or officer receiving the redemption payment:

(1) a copy of the docket of the judgment, or of the recorded deed or mortgage, or of the record or files evidencing any other lien under which the person claims a right to redeem, ~~certified by the officer with custody of the docket, record, or files, or the original deed or mortgage with the certificate of record endorsed on it;~~

(2) a copy of any recorded assignment necessary to evidence the person's ownership of the lien, ~~certified by the officer with custody of the assignment, or the original of each instrument of assignment with the certificate of record endorsed on it.~~ If the redemption is under an assignment of a judgment, the assignment shall be filed in the court entering the judgment, as provided by law, and the person so redeeming shall produce a ~~certified~~ copy of it and of the record of its filing, and the copy of the docket shall show that the proper entry was made upon the docket. No further evidence of the assignment of the judgment is required unless the mortgaged premises or part of it is registered property, in which case the judgment and all assignments of the judgment must be entered as a memorial upon the certificate of title to the mortgaged premises and ~~the original~~ a copy of the judgment and each assignment with the certificate of record endorsed on it, ~~or a copy certified by the registrar of titles,~~ must be produced; and

(3) an affidavit of the person or the person's agent, showing the amount then actually claimed due on the person's lien and required to be paid on the lien in order to redeem from the person. Additional fees and charges may be claimed due only as provided in section 582.03.

If redemption is made to the sheriff, the sheriff may charge a fee of \$250 for issuing the certificate of redemption and any related service. No other fee may be charged by the sheriff for a redemption.

Within 24 hours after a redemption is made, the person redeeming shall cause the documents so required to be produced to be ~~filed~~ recorded with the county recorder, or registrar of titles, who may receive fees as prescribed in section 357.18 or 508.82. If the redemption is made at any place other than the county seat, it is sufficient forthwith to deposit the documents in the nearest post office, addressed to the recorder or registrar of titles, with the postage prepaid. A person recording documents produced for redemption shall, on the same day, deliver copies of the documents to the sheriff for public inspection. The sheriff may receive a fee of \$20 for the documents delivered following a redemption. The sheriff shall note the date of delivery on the documents and shall maintain for public inspection all documents delivered to the sheriff for a period of six months after the end of the mortgagor's redemption period.

Sec. 18. Minnesota Statutes 2006, section 580.28, is amended to read:

580.28 ACTION TO SET ASIDE MORTGAGE; FORECLOSURE; REDEMPTION.

When an action is brought wherein it is claimed that any mortgage as to the plaintiff or person for whose benefit the action is brought is fraudulent or void, or has been paid or discharged, in whole or in part, or the relative priority or the validity of liens is disputed, if such mortgage has been foreclosed by advertisement, and the time for redemption from the foreclosure sale will expire before final judgment in such action, the plaintiff or beneficiary having the right to redeem, for the purpose of saving such right in case the action fails, may deposit with the sheriff before the time of redemption expires the amount for which the mortgaged premises were sold, with interest thereon to the time of deposit, together with a bond to the holder of the sheriff's certificate of sale, in an amount and with sureties to be approved by the sheriff, conditioned to pay all interest that may accrue or be allowed on such deposit if the action fail. The person shall, in writing, notify such sheriff that the person claims the mortgage to be fraudulent or void, or to have been paid or discharged, in whole or in part, as the case may be, and that such action is pending, and direct the sheriff to retain such money and bond until final judgment. In case such action fails, such deposit shall operate as a redemption of the premises from such foreclosure sale, and entitle the plaintiff to a certificate thereof. Such foreclosure, deposit, bond, and notice shall be brought to the attention of the court by supplemental complaint in the action, and the judgment shall determine the validity of the foreclosure sale, and the rights of the parties to the moneys and bond so deposited, which shall be paid and delivered by the sheriff as directed by such judgment upon delivery to the sheriff of a certified copy thereof. The remedy herein provided shall be in addition to other remedies now existing.

Sec. 19. Minnesota Statutes 2006, section 580.30, is amended to read:

580.30 MORTGAGES, WHEN REINSTATED.

Subdivision 1. Reinstatement. In any proceedings for the foreclosure of a real estate mortgage, whether by action or by advertisement, if at any time before the sale of the premises under such foreclosure the mortgagor, the owner, or any holder of any subsequent encumbrance or lien, or any one for them, shall pay or cause to be paid to the holder of the mortgage so being foreclosed, or to the attorney foreclosing the same, or to the sheriff of the county, the amount actually due thereon and constituting the default actually existing in the conditions of the mortgage at the time of the commencement of the foreclosure proceedings, including insurance, delinquent taxes, if any, upon the premises, interest to date of payment, cost of publication and services of process or notices, attorney's fees not exceeding \$150 or one-half of the attorney's fees authorized by section 582.01, whichever is greater, together with other lawful disbursements necessarily incurred in connection with the proceedings by the party foreclosing, then, and in that event, the mortgage shall be fully reinstated and further proceedings in such foreclosure shall be thereupon abandoned.

Subd. 2. Request by sheriff. Upon written request by the sheriff, the holder of the mortgage or the holder's legal representative shall provide to the sheriff within seven days of the date of the request by the sheriff to the foreclosing attorney: (1) the current payoff amount, showing outstanding principal, interest, and a daily interest accrual amount, (2) an itemized schedule of the current amounts necessary to reinstate the mortgage, and (3) the identity of the person or entity with authority to act on behalf of the holder of the mortgage or the holder's legal representative. If the holder of the mortgage or the holder's legal representative fails to respond to the sheriff's request within seven days of the date of the request, the sheriff shall postpone the sheriff's sale and the sheriff shall announce at the sheriff's sale the postponement of the sale. The postponement does not need to be published. If the request by the sheriff is made seven days or less before the sheriff's sale, the holder of the mortgage or the holder's representative shall make a good faith effort to respond to the sheriff before the sheriff's sale, but the sheriff may conduct the sheriff's sale without a response from the holder of the mortgage or the holder's legal representative.

Sec. 20. Minnesota Statutes 2006, section 581.10, is amended to read:

581.10 REDEMPTION BY MORTGAGOR, CREDITOR.

The mortgagor, or those claiming under the mortgagor, within the time specified in section 580.23 or 582.032, whichever applies, after the date of the order of confirmation, may redeem the premises sold, or any separate portion thereof, by paying the amount bid therefor, with interest thereon from the time of sale ~~at the rate provided to be paid on the mortgage debt, not to exceed eight percent per annum, and, if no rate to be provided in the mortgage, at the rate of six percent stated in the certificate of sale or, if no rate is provided in the certificate of sale, at the rate of six percent per annum,~~ together with any further sum which may be payable pursuant to section 582.03 and 582.031. Creditors having a lien may redeem in the order and manner specified in section 580.24.

Sec. 21. Minnesota Statutes 2006, section 582.03, is amended to read:

582.03 PURCHASER MAY PAY TAXES AND OTHER EXPENSES DUE.

Subdivision 1. Allowable costs collectable upon redemption. ~~The purchaser at any holder of any sheriff's certificate of sale, upon from a foreclosure by advertisement or action of a mortgage or lien or execution or at any judicial sale, or the holder of any certificate of redemption as a junior creditor during the period of redemption, may pay and claim the following on redemption:~~ any taxes or assessments on which any penalty would otherwise accrue, and ~~may pay the premium upon any policy of insurance procured in renewal of any expiring policy upon any costs of a hazard insurance policy for the holder's interest in the mortgaged premises, may pay incurred for the period of holding the sheriff's certificate, any costs incurred when an order to reduce a mortgagor's redemption period under section 582.032 is entered, any fees paid to the county recorder, registrar of titles, or sheriff to obtain or record the certificates of sale or redemption or notices of intention to redeem, any reasonable fees paid to licensed real estate brokers for broker price opinions or to licensed appraisers for appraisals, any deed tax paid to file a certificate of redemption, reasonable attorney fees incurred after the foreclosure sale not to exceed one-half of the amount authorized by section 582.01, any costs incurred under section 582.031, and may, in case any interest or installment of principal upon any prior or superior mortgage, lien, or contract for deed is in default or shall become that becomes due during the period of redemption, pay the same, and,~~ In all such cases, the ~~sum~~ costs so paid and claimed due, with interest, shall be a part of the sum required to be paid to redeem from such sale. No other costs, fees, interest, or other amount may be added to the amount necessary to redeem.

Subd. 2. Affidavit of allowable costs. ~~Such Any payments made and claimed due under subdivision 1 shall be proved by the affidavit of the purchaser or the purchaser's holder of the sheriff's certificate or its agent or attorney, stating the items itemizing each of the allowable costs and describing the premises, which must be filed for record with the county recorder or registrar of titles, and a copy thereof shall be furnished to the sheriff at least ten days before the expiration of the period of redemption. The affidavit must be filed with the sheriff of the county in which the sale was held at any time prior to expiration of the mortgagor's redemption period. Upon written request by the sheriff, the holder of the sheriff's certificate or certificate of redemption shall provide an affidavit of allowable costs to the sheriff within seven days of the date of the request by the sheriff. If the mortgagor does not redeem within seven days after the affidavit is filed, the holder of the sheriff's certificate may file a supplemental affidavit if additional allowable costs are incurred during the redemption period. If the holder of the sheriff's certificate or certificate of redemption fails to respond to the sheriff's request within seven days, the sheriff may calculate a redemption amount pursuant to section 580.23, subdivision 1, and issue a certificate of redemption for that amount. If the time allowed to redeem is less than seven days from the expiration of the redemption period, the sheriff shall make a reasonable effort to request the affidavit of allowable costs in writing from the holder of the sheriff's certificate, its agent, or attorney before issuing a certificate of redemption. If the affidavit of allowable costs is not provided more than one business day before the expiration of the redemption period, at any time one business day or~~

less before the expiration of the redemption period, the sheriff may calculate a redemption amount pursuant to section 580.23, subdivision 1, and issue a certificate of redemption for that amount. The amount calculated by the sheriff, absent malfeasance by the sheriff, binds the holder of the sheriff's certificate even if the amount calculated by the sheriff is less than the actual amount due.

Subd. 3. **Penalty for excessive costs.** At any time within one year after the expiration of the mortgagor's redemption period, the redeeming party, heirs, or assigns may recover from the holder of the sheriff's certificate three times the amount of any sums declared as costs or disbursements on the affidavit of allowable costs but not actually paid by the holder, or three times the amount of any sums determined to exceed a reasonable cost for the declared item where the excess has been retained by the lender, unless the disputed amounts are paid to the redeeming party, heirs, or assigns prior to entry of judgment.

Sec. 22. Minnesota Statutes 2006, section 582.031, is amended to read:

582.031 LIMITED RIGHT OF ENTRY.

Subdivision 1. **Right of entry.** If premises described in a mortgage or sheriff's certificate are vacant or unoccupied, the holder of the mortgage or sheriff's certificate or the holder's agents and contractors may, but is under no obligation to, enter upon the premises to protect the premises from waste, until the holder of the mortgage or sheriff's certificate receives notice that the premises are occupied. The holder of the mortgage or sheriff's certificate does not become a mortgagee in possession by taking actions authorized under this section. An affidavit of the sheriff, the holder of the mortgage or sheriff's certificate, or a person acting on behalf of the holder, describing the premises and stating that the same are vacant or unoccupied, is prima facie evidence of the facts stated in the affidavit and is entitled to be recorded in the office of the county recorder or the registrar of titles in the county where the premises are located, if it contains a legal description of the premises.

Subd. 2. **Authorized actions.** The holder of the mortgage or sheriff's certificate may take the following actions to protect the premises from waste: or from falling below minimum community standards for public safety and sanitation: make reasonable periodic inspections, install or change locks on doors and windows, board windows, install an alarm system, ~~provide a resident caretaker,~~ and otherwise prevent or minimize damage to the premises from the elements, vandalism, trespass, or other illegal activities. If the holder of the mortgage or sheriff's certificate installs or changes locks under this section, a key to the premises must be promptly delivered to the mortgagor or any person lawfully claiming through the mortgagor, upon request.

Subd. 3. **Costs.** All costs incurred by the holder of the mortgage to protect the premises from waste or from falling below minimum community standards for public safety and sanitation may be added to the principal balance of the mortgage. The costs may bear interest to the extent provided in the mortgage and may be added to the redemption price if the costs are incurred after a foreclosure sale. If the costs are incurred after a foreclosure sale, ~~the purchaser at the foreclosure sale~~ holder of any sheriff's certificate of sale or certificate of redemption must comply with the provisions of section 582.03. The provisions of this section are in addition to, and do not limit or replace, any other rights or remedies available to holders of mortgages and sheriff's certificates, at law or under the applicable mortgage agreements.

Sec. 23. Laws 2004, chapter 263, section 26, is amended to read:

Sec. 26. EFFECTIVE DATE; EXPIRATION.

Sections 1 to 18, 22, 23, and 25 are effective August 1, 2004, ~~and expire December 31, 2009.~~ Sections 19, 20, 21, and 24 are effective July 1, 2004."

Delete the title and insert:

"A bill for an act relating to mortgages; amending various provisions relating to foreclosure; amending Minnesota Statutes 2006, sections 507.092, subdivision 1; 580.02; 580.03; 580.041, subdivision 2; 580.06; 580.07; 580.12; 580.23, subdivision 1; 580.25; 580.28; 580.30; 581.10; 582.03; 582.031; Minnesota Statutes 2007 Supplement, sections 510.05; 550.19; 550.22; 550.24; 580.24; Laws 2004, chapter 263, section 26; proposing coding for new law in Minnesota Statutes, chapter 580."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Commerce and Labor.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 3477, A bill for an act relating to manufactured housing; providing for regulation of lending practices and default; providing notices and remedies; amending Minnesota Statutes 2006, sections 327.64; 327.65; 327.66; 327B.01, by adding subdivisions; 327B.08, by adding a subdivision; 327B.09, by adding a subdivision; 327B.12; proposing coding for new law in Minnesota Statutes, chapter 325B.

Reported the same back with the following amendments:

Page 2, line 15, delete "326.65" and insert "327.65"

With the recommendation that when so amended the bill be re-referred to the Committee on Commerce and Labor without further recommendation.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 3478, A bill for an act relating to judicial process; modifying certain civil and criminal penalties; amending Minnesota Statutes 2006, section 363A.29, subdivision 4; Minnesota Statutes 2007 Supplement, section 609.822, subdivision 3.

Reported the same back with the following amendments:

Page 1, delete line 22 and insert "attorney's fees, in addition to punitive damages in an amount not more than ~~\$8,500~~ \$25,000."

Page 1, line 23, reinstate the stricken language

Page 2, lines 1 and 2, reinstate the stricken language

With the recommendation that when so amended the bill pass.

The report was adopted.

Mullery from the Committee on Public Safety and Civil Justice to which was referred:

H. F. No. 3517, A bill for an act relating to landlord and tenant; modifying expungement and withholding of rent under certain circumstances; amending Minnesota Statutes 2006, sections 484.014, by adding a subdivision; 504B.178, subdivision 8.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rukavina from the Higher Education and Work Force Development Policy and Finance Division to which was referred:

H. F. No. 3599, A bill for an act relating to economic development; requiring a standard business subsidy agreement for the JOBZ program; amending Minnesota Statutes 2006, section 469.310, subdivision 11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

JOBZ REQUIREMENTS

Section 1. Minnesota Statutes 2006, section 116J.03, is amended by adding a subdivision to read:

Subd. 4. **Targeted rural opportunity community.** "Targeted rural opportunity community" means a city or township in a county that either lost population from 1980 to 2000 according to the decennial census or had an unemployment rate higher than the Minnesota state annual average in 2006 according to local area unemployment statistics published by the Department of Employment and Economic Development.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2006, section 469.310, subdivision 11, is amended to read:

Subd. 11. **Qualified business.** (a) A person carrying on a trade or business at a place of business located within a job opportunity building zone is a qualified business for the purposes of sections 469.310 to 469.320 according to the criteria in paragraphs (b) to ~~(f)~~ (h).

(b) A person is a qualified business only on those parcels of land for which the person has entered into a business subsidy agreement, as required under ~~section~~ sections 469.3102 and 469.313, with the appropriate local government unit in which the parcels are located.

~~(c) Prior to execution of the business subsidy agreement, the local government unit must consider the following factors:~~

~~(1) how wages compare to the regional industry average;~~

~~(2) the number of jobs that will be provided relative to overall employment in the community;~~

- ~~(3) the economic outlook for the industry the business will engage in;~~
- ~~(4) sales that will be generated from outside the state of Minnesota;~~
- ~~(5) how the business will build on existing regional strengths or diversify the regional economy;~~
- ~~(6) how the business will increase capital investment in the zone; and~~
- ~~(7) any other criteria the commissioner deems necessary.~~

~~(d)~~ (c) A person that relocates a trade or business from outside a job opportunity building zone into a zone is not a qualified business unless the business meets all of the requirements of paragraphs (b) and (c) and:

(1) increases full-time employment in the first full year of operation within the job opportunity building zone by a minimum of five jobs or 20 percent, whichever is greater, measured relative to the operations that were relocated and maintains the required level of employment for each year the zone designation applies; and

(2) enters a ~~binding written agreement with the commissioner~~ business subsidy agreement that:

(i) pledges the business will meet the requirements of clause (1);

(ii) provides for repayment of all tax benefits enumerated under section 469.315 to the business under the procedures in section 469.319, if the requirements of clause (1) are not met for the taxable year or for taxes payable during the year in which the requirements were not met; and

(iii) contains any other terms the commissioner determines appropriate.

(e) The commissioner may waive the requirements under paragraph (d), clause (1), if the commissioner determines that the qualified business will substantially achieve the factors under this subdivision.

(f) A business is not a qualified business if, at its location or locations in the zone, the business is primarily engaged in making retail sales to purchasers who are physically present at the business's zone location.

(g) A qualifying business must pay each employee compensation, including benefits not mandated by law, that on an annualized basis is equal to at least 110 percent of the federal poverty level for a family of four.

(h) A public utility, as defined in section 336B.01, is not a qualified business.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. **[469.3101] STATE REVIEW CRITERIA.**

(a) The commissioner may only approve a business subsidy agreement after considering:

(1) whether the business has local or Minnesota competitors that will be significantly and adversely effected by the business subsidy agreement;

(2) whether the proposed job creation, job retention, and capital investment is commensurate with the estimated tax benefits provided to the business by participating in JOBZ; and

(3) whether other financial assistance is available.

(b) Additionally, the commissioner may only approve a business subsidy agreement after considering if without the estimated tax benefits, the business:

(1) would not have expanded or began operations within Minnesota;

(2) would not have relocated from outside the state to Minnesota; or

(3) would have moved to another state or expanded in another state rather than remaining or expanding in Minnesota.

(c) The local government unit and the qualified business must provide the commissioner with the information that the commissioner needs to review a business subsidy agreement under paragraphs (a) and (b). The information must be in the form and manner required by the commissioner.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 4. **[469.3102] BUSINESS SUBSIDY AGREEMENTS; REPORTS.**

Subdivision 1. **JOBZ business subsidy agreement.** A business subsidy agreement required under section 469.310, subdivision 11, paragraph (b), must comply with this section.

Subd. 2. **Business subsidy agreement requirements.** A business subsidy agreement is not effective until the commissioner has approved the agreement in writing. The commissioner may not approve an agreement that violates sections 116J.993 to 116J.995 or 469.310 to 469.3201. The commissioner may not approve an agreement unless:

(1) the qualified business is required to create or retain a minimum number of jobs;

(2) the agreement defines "jobs" for purposes of determining compliance with wage and job goals as all jobs and only those jobs that constitute "employment" for purposes of state unemployment insurance;

(3) the qualified business is required to report all jobs created or retained because of JOBZ as a separate business location for purposes of section 268.044; and

(4) the qualified business agrees to provide the appropriate data practices release so that the commissioner of revenue and the commissioner of employment and economic development can monitor compliance with the terms of the agreement.

Subd. 3. **Standard agreement.** The commissioner must develop and require the use of a standard business subsidy agreement that imposes definitive and enforceable obligations on the qualified business.

Subd. 4. **Business subsidy reports.** (a) A local government unit must annually report to the commissioner on the progress of the qualified business in meeting the goals listed in the business subsidy agreement. The report must be filed with the commissioner within 30 days of the end of the immediately preceding yearly period for which job creation, job retention, or investment obligations are imposed on a business and must be in a form prescribed by the commissioner. The commissioner must schedule department compliance reviews and reporting dates under business subsidy agreements so that reports are due throughout the year and compliance reviews are done on a continuous basis as reports are filed.

(b) The commissioner must hold a qualified business out of compliance or remove the business from the program if the qualified business fails to provide the information requested by the local government unit for the report under paragraph (a) within 30 days of written notice that the information is overdue. This report is in lieu of the reports required under section 116J.994, subdivisions 7 and 8.

Subd. 5. **Public notice and hearing.** A local government unit must provide public notice and hearing as required under section 116J.994, subdivision 5, before approving a business subsidy agreement. Public notice of a proposed business subsidy agreement must be published in a local newspaper of general circulation. The public hearing must be held in a location specified by the local government unit. Notwithstanding the requirements of section 116J.994, subdivision 5, the commissioner is not required to provide an additional public notice and hearing when entering into a business subsidy agreement with a local government unit and a qualified business.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 5. Minnesota Statutes 2006, section 469.312, subdivision 5, is amended to read:

Subd. 5. **Duration limit.** (a) The maximum duration of a zone is 12 years. The applicant may request a shorter duration. The commissioner may specify a shorter duration, regardless of the requested duration.

(b) The duration limit under this subdivision and the duration of the zone for purposes of allowance of tax incentives described in section 469.315 is extended by three calendar years for each parcel of property that meets the following requirements:

(1) the qualified business operates an ethanol plant, as defined in section 41A.09, on the site that includes the parcel; and

(2) the business subsidy agreement was executed after April 30, 2006.

(c) (1) Notwithstanding the 12-year zone limitation, all qualified businesses that sign a business subsidy agreement, as required under sections 469.310, subdivision 11, and 469.313, before December 31, 2015, are entitled to claim the tax benefits for which they qualify under section 469.315 for the year in which the business subsidy agreement is signed and ten additional years.

(2) Notwithstanding the 12-year zone limitation, all qualified businesses that sign a business subsidy agreement, as required under sections 469.310, subdivision 11, and 469.313, before December 31, 2015, and are located in a targeted rural opportunity community, as defined under section 116J.03, subdivision 4, are entitled to claim the tax benefits for which they qualify under section 469.315 for the year in which the business subsidy agreement is signed and 12 additional years.

(3) This paragraph does not apply to:

(i) any acreage designated as a job opportunity building zone for which any person has fully executed a business subsidy agreement before this paragraph became effective; or

(ii) any trade or business that relocated as defined in section 469.310, subdivision 12, and received benefits under section 469.315 prior to the relocation.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 6. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall change the term "applicant" or similar terms to "local government unit" or similar terms wherever the term appears in Minnesota Statutes, sections 469.310 to 469.3201 and in any other sections referring to the JOBZ program. The revisor shall also make grammatical changes related to the changes in terms.

Sec. 7. **REPEALER.**

Minnesota Statutes 2006, section 469.310, subdivision 3, is repealed.

ARTICLE 2

JOBZ TAX PROVISIONS

Section 1. Minnesota Statutes 2006, section 469.319, is amended to read:

469.319 REPAYMENT OF TAX BENEFITS BY BUSINESSES THAT NO LONGER OPERATE IN A ZONE.

Subdivision 1. **Repayment obligation.** A business must repay the ~~amount of the total tax reduction benefits listed in section 469.315 and any refund under section 469.318 in excess of tax liability;~~ received during the two years immediately before it ~~(1) ceased to operate in the zone, if the business:~~

~~(1) received tax reductions authorized by section 469.315; and~~

~~(2)(i) did not meet the goals specified in an agreement entered into with the applicant that states any obligation the qualified business must fulfill in order to be eligible for tax benefits. The commissioner of employment and economic development may extend for up to one year the period for meeting any goals provided in an agreement. The applicant may extend the period for meeting other goals by documenting in writing the reason for the extension and attaching a copy of the document to its next annual report to the commissioner of employment and economic development; or~~

~~(ii) ceased to operate its facility located within the job opportunity building zone perform a substantial level of activities described in the business subsidy agreement, or (2) otherwise ceases ceased to be ~~or is not~~ a qualified business, other than those subject to the provisions of section 469.3191.~~

Subd. 1a. Repayment obligation of businesses not operating in zone. Persons that receive benefits without operating a business in a zone are subject to repayment under this section if the business for which those benefits relate is subject to repayment under this section. Such persons are deemed to have ceased performing in the zone on the same day that the qualified business for which the benefits relate becomes subject to repayment under subdivision 1.

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Business" means any person ~~who~~ that received tax benefits enumerated in section 469.315.

(c) "Commissioner" means the commissioner of revenue.

(d) "Persons that receive benefits without operating a business in a zone" means persons that claim benefits under section 469.316, subdivision 2 or 4, as well as persons that own property leased by a qualified business and eligible for benefits under section 272.02, subdivision 64, or 297A.68, subdivision 37, paragraph (b).

Subd. 3. **Disposition of repayment.** The repayment must be paid to the state to the extent it represents a state tax reduction and to the county to the extent it represents a property tax reduction. Any amount repaid to the state must be deposited in the general fund. Any amount repaid to the county for the property tax exemption must be distributed to the ~~local governments~~ taxing authorities with authority to levy taxes in the zone in the same manner provided for distribution of payment of delinquent property taxes. Any repayment of local sales taxes must be repaid to the commissioner for distribution to the city or county imposing the local sales tax.

Subd. 4. **Repayment procedures.** (a) For the repayment of taxes imposed under chapter 290 or 297A or local taxes collected pursuant to section 297A.99, a business must file an amended return with the commissioner of revenue and pay any taxes required to be repaid within 30 days after ~~ceasing to do business in the zone~~ becoming subject to repayment under this section. The amount required to be repaid is determined by calculating the tax for the period or periods for which repayment is required without regard to the exemptions and credits allowed under section 469.315.

(b) For the repayment of taxes imposed under chapter 297B, a business must pay any taxes required to be repaid to the motor vehicle registrar, as agent for the commissioner of revenue, within 30 days after ~~ceasing to do business in the zone~~ becoming subject to repayment under this section.

(c) For the repayment of property taxes, the county auditor shall prepare a tax statement for the business, applying the applicable tax extension rates for each payable year and provide a copy to the business and to the taxpayer of record. The business must pay the taxes to the county treasurer within 30 days after receipt of the tax statement. The business or the taxpayer of record may appeal the valuation and determination of the property tax to the Tax Court within 30 days after receipt of the tax statement.

(d) The provisions of chapters 270C and 289A relating to the commissioner's authority to audit, assess, and collect the tax and to hear appeals are applicable to the repayment required under paragraphs (a) and (b). The commissioner may impose civil penalties as provided in chapter 289A, and the additional tax and penalties are subject to interest at the rate provided in section 270C.40, from 30 days after ~~ceasing to do business in the job opportunity building zone~~ becoming subject to repayment under this section until the date the tax is paid.

(e) If a property tax is not repaid under paragraph (c), the county treasurer shall add the amount required to be repaid to the property taxes assessed against the property for payment in the year following the year in which the ~~treasurer discovers that the business ceased to operate in the job opportunity building zone~~ auditor provided the statement under paragraph (c).

(f) For determining the tax required to be repaid, a ~~tax reduction of a state or local sales or use tax~~ is deemed to have been received on the date that the tax would have been due if the taxpayer had not been entitled to the exemption or on the date a refund was issued for a refundable tax credit, good or service was purchased or first put to a taxable use. In the case of an income tax or franchise tax, including the credit payable under section 469.318, a reduction of tax is deemed to have been received for the two most recent tax years that have ended prior to the date that the business became subject to repayment under this section. In the case of a property tax, a reduction of tax is deemed to have been received for the taxes payable in the year that the business became subject to repayment under this section and for the taxes payable in the prior year.

(g) The commissioner may assess the repayment of taxes under paragraph (d) any time within two years after the business ~~ceases to operate in the job opportunity building zone~~ becomes subject to repayment under subdivision 1, or within any period of limitations for the assessment of tax under section 289A.38, whichever period is later. The county auditor may send the statement under paragraph (c) any time within three years after the business becomes subject to repayment under subdivision 1.

(h) A business is not entitled to any income tax or franchise tax benefits, including refundable credits, for any part of the year in which the business becomes subject to repayment under this section nor for any year thereafter. Property is not exempt from tax under section 272.02, subdivision 64, for any taxes payable in the year following the year in which the property became subject to repayment under this section nor for any year thereafter. A business is not eligible for any sales tax benefits beginning with goods or services purchased or first put to a taxable use on the day that the business becomes subject to repayment under this section.

Subd. 5. **Waiver authority.** (a) The commissioner may waive all or part of a repayment required under subdivision 1, if the commissioner, in consultation with the commissioner of employment and economic development and appropriate officials from the local government units in which the qualified business is located, determines that requiring repayment of the tax is not in the best interest of the state or the local government units and the business ceased operating as a result of circumstances beyond its control including, but not limited to:

- (1) a natural disaster;
- (2) unforeseen industry trends; or
- (3) loss of a major supplier or customer.

(b)(1) The commissioner shall waive repayment required under subdivision 1a if the commissioner has waived repayment by the operating business under subdivision 1, unless the person that received benefits without having to operate a business in the zone was a contributing factor in the qualified business becoming subject to repayment under subdivision 1;

(2) the commissioner shall waive the repayment required under subdivision 1a, even if the repayment has not been waived for the operating business if:

(i) the person that received benefits without having to operate a business in the zone and the business that operated in the zone are not related parties as defined in section 267(b) of the Internal Revenue Code of 1986, as amended through December 31, 2007; and

(ii) actions of the person were not a contributing factor in the qualified business becoming subject to repayment under subdivision 1.

Subd. 6. **Reconciliation.** Where this section is inconsistent with section 116J.994, subdivision 3, paragraph (e), or 6, or any other provisions of sections 116J.993 to 116J.995, this section prevails.

EFFECTIVE DATE. The amendment to subdivision 4, paragraph (c), of this section is effective the day following final enactment. The amendment to subdivision 4, paragraph (f), is effective January 1, 2008, and applies to all businesses that become subject to this section in 2008 and thereafter. The rest of this section is effective retroactively from January 1, 2004, except that for violations that occur before the day following final enactment, this section does not apply if the business has repaid the benefits or the commissioner has granted a waiver.

Sec. 2. **[469.3191] BREACH OF AGREEMENTS BY BUSINESSES THAT CONTINUE TO OPERATE IN ZONE.**

(a) A "business in violation of its business subsidy agreement but not subject to section 469.319" means a business that is operating in violation of the business subsidy agreement but maintains a level of operations in the zone that does not subject it to the repayment provisions of section 469.319, subdivision 1, clause (1).

(b) A business described in paragraph (a) that does not sign a new or amended business subsidy agreement, as authorized under paragraph (h), is subject to repayment of benefits under section 469.319 from the day that it ceases to perform in the zone a substantial level of activities described in the business subsidy agreement.

(c) A business described in paragraph (a) ceases being a qualified business after the last day that it has to meet the goals stated in the agreement.

(d) A business is not entitled to any income tax or franchise tax benefits, including refundable credits, for any part of the year in which the business is no longer a qualified business under paragraph (c), and thereafter. A business is not eligible for sales tax benefits beginning with goods or services purchased or put to a taxable use on the day that it is no longer a qualified business under paragraph (c). Property is not exempt from tax under section 272.02, subdivision 64, for any taxes payable in the year following the year in which the business is no longer a qualified business under paragraph (c), and thereafter.

(e) A business described in paragraph (a) that wants to resume eligibility for benefits under section 469.315 must request that the commissioner of employment and economic development determine the length of time that the business is ineligible for benefits. The commissioner shall determine the length of ineligibility by applying the proportionate level of performance under the agreement to the total duration of the zone as measured from the date that the business subsidy agreement was executed. The length of time must not be less than one full year for each tax benefit listed in section 469.315. The commissioner of employment and economic development and the appropriate local government officials shall consult with the commissioner of revenue to ensure that the period of ineligibility includes at least one full year of benefits for each tax.

(f) The length of ineligibility determined under paragraph (e) must be applied by reducing the zone duration for the property by the duration of the ineligibility.

(g) The zone duration of property that has been adjusted under paragraph (f) must not be altered again to permit the business additional benefits under section 469.315.

(h) A business described in paragraph (a) becomes eligible for benefits available under section 469.315 by entering into a new or amended business subsidy agreement with the appropriate local government unit. The new or amended agreement must cover a period beginning from the date of ineligibility under the original business subsidy agreement, through the zone duration determined by the commissioner under paragraph (f). No exemption of property taxes under section 272.02, subdivision 64, is available under the new or amended agreement for property taxes due or paid before the date of the final execution of the new or amended agreement, but unpaid taxes due after that date need not be paid.

(i) A business that violates the terms of an agreement authorized under paragraph (h) is permanently barred from seeking benefits under section 469.315 and is subject to the repayment provisions under section 469.319 effective from the day that the business ceases to operate as a qualified business in the zone under the second agreement.

EFFECTIVE DATE. This section is effective retroactively from January 1, 2004. For violations that occur before the day following final enactment, this section does not apply if the business has repaid the benefits or the commissioner has granted a waiver.

Sec. 3. [469.3192] PROHIBITION AGAINST AMENDMENTS TO BUSINESS SUBSIDY AGREEMENT.

Except as authorized under section 469.3191, under no circumstance shall terms of any agreement required as a condition for eligibility for benefits listed under section 469.315 be amended to change job creation, job retention, or wage goals included in the agreement.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to all agreements executed before, on, or after the effective date.

Sec. 4. **[469.3193] CERTIFICATION OF CONTINUING ELIGIBILITY FOR JOBZ BENEFITS.**

(a) By December 1 of each year, every qualified business must certify to the commissioner of revenue, on a form prescribed by the commissioner of revenue, whether it is in compliance with any agreement required as a condition for eligibility for benefits listed under section 469.315. A business that fails to submit the certification, or any business, including those still operating in the zone, that submits a certification that the commissioner of revenue later determines materially misrepresents the business's compliance with the agreement, is subject to the repayment provisions under section 469.319 from January 1 of the year in which the report is due or the date that the business became subject to section 469.319, whichever is earlier. Any such business is permanently barred from obtaining benefits under section 469.315. For purposes of this section, the bar applies to an entity and also applies to any individuals or entities that have an ownership interest of at least 20 percent of the entity.

(b) Before the sanctions under paragraph (a) apply to a business that fails to submit the certification, the commissioner of revenue shall send notice to the business, demanding that the certification be submitted within 30 days and advising the business of the consequences for failing to do so. The commissioner of revenue shall notify the commissioner of employment and economic development and the appropriate job opportunity subzone administrator whenever notice is sent to a business under this paragraph.

(c) The certification required under this section is public.

(d) The commissioner of revenue shall promptly notify the commissioner of employment and economic development of all businesses that certify that they are not in compliance with the terms of their business subsidy agreement and all businesses that fail to file the certification.

EFFECTIVE DATE. This section is effective the day following final enactment.

ARTICLE 3

STATE AUDITOR AND JOBZ

Section 1. Minnesota Statutes 2007 Supplement, section 268.19, subdivision 1, is amended to read:

Subdivision 1. **Use of data.** (a) Except as provided by this section, data gathered from any person under the administration of the Minnesota Unemployment Insurance Law are private data on individuals or nonpublic data not on individuals as defined in section 13.02, subdivisions 9 and 12, and may not be disclosed except according to a district court order or section 13.05. A subpoena is not considered a district court order. These data may be disseminated to and used by the following agencies without the consent of the subject of the data:

- (1) state and federal agencies specifically authorized access to the data by state or federal law;
- (2) any agency of any other state or any federal agency charged with the administration of an unemployment insurance program;
- (3) any agency responsible for the maintenance of a system of public employment offices for the purpose of assisting individuals in obtaining employment;
- (4) the public authority responsible for child support in Minnesota or any other state in accordance with section 256.978;
- (5) human rights agencies within Minnesota that have enforcement powers;

- (6) the Department of Revenue to the extent necessary for its duties under Minnesota laws;
- (7) public and private agencies responsible for administering publicly financed assistance programs for the purpose of monitoring the eligibility of the program's recipients;
- (8) the Department of Labor and Industry and the Division of Insurance Fraud Prevention in the Department of Commerce for uses consistent with the administration of their duties under Minnesota law;
- (9) local and state welfare agencies for monitoring the eligibility of the data subject for assistance programs, or for any employment or training program administered by those agencies, whether alone, in combination with another welfare agency, or in conjunction with the department or to monitor and evaluate the statewide Minnesota family investment program by providing data on recipients and former recipients of food stamps or food support, cash assistance under chapter 256, 256D, 256J, or 256K, child care assistance under chapter 119B, or medical programs under chapter 256B, 256D, or 256L;
- (10) local and state welfare agencies for the purpose of identifying employment, wages, and other information to assist in the collection of an overpayment debt in an assistance program;
- (11) local, state, and federal law enforcement agencies for the purpose of ascertaining the last known address and employment location of an individual who is the subject of a criminal investigation;
- (12) the United States Citizenship and Immigration Services has access to data on specific individuals and specific employers provided the specific individual or specific employer is the subject of an investigation by that agency;
- (13) the Department of Health for the purposes of epidemiologic investigations; ~~and~~
- (14) the Department of Corrections for the purpose of postconfinement employment tracking of individuals who had been committed to the custody of the commissioner of corrections; ~~and~~
- (15) the state auditor to the extent necessary to conduct audits of job opportunity building zones as required under section 469.3201.

(b) Data on individuals and employers that are collected, maintained, or used by the department in an investigation under section 268.182 are confidential as to data on individuals and protected nonpublic data not on individuals as defined in section 13.02, subdivisions 3 and 13, and must not be disclosed except under statute or district court order or to a party named in a criminal proceeding, administrative or judicial, for preparation of a defense.

(c) Data gathered by the department in the administration of the Minnesota unemployment insurance program must not be made the subject or the basis for any suit in any civil proceedings, administrative or judicial, unless the action is initiated by the department.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2006, section 270B.15, is amended to read:

270B.15 DISCLOSURE TO LEGISLATIVE AUDITOR AND STATE AUDITOR.

(a) Returns and return information must be disclosed to the legislative auditor to the extent necessary for the legislative auditor to carry out sections 3.97 to 3.979.

(b) The commissioner must disclose return information, including the report required under section 289A.12, subdivision 15, to the state auditor to the extent necessary to conduct audits of job opportunity building zones as required under section 469.3201.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. Minnesota Statutes 2006, section 289A.12, is amended by adding a subdivision to read:

Subd. 15. **Report of job opportunity zone benefits; penalty for failure to file report.** (a) By October 15 of each year, every qualified business, as defined under section 469.310, subdivision 11, must file with the commissioner, on a form prescribed by the commissioner, a report listing the tax benefits under section 469.315 received by the business for the previous year.

(b) The commissioner shall send notice to each business that fails to timely submit the report required under paragraph (a). The notice shall demand that the business submit the report within 60 days. Where good cause exists, the commissioner may extend the period for submitting the report as long as a request for extension is filed by the business before the expiration of the 60-day period. The commissioner shall notify the commissioner of the Department of Employment and Economic Development and the appropriate job opportunity subzone administrator whenever notice is sent to a business under this paragraph.

(c) A business that fails to submit the report as required under paragraph (b) is no longer a qualified business under section 469.310, subdivision 11, and is subject to the repayment provisions of section 469.319.

EFFECTIVE DATE. This section is effective beginning with reports required to be filed October 15, 2008.

Sec. 4. Minnesota Statutes 2006, section 469.3201, is amended to read:

469.3201 ~~JOBZ EXPENDITURE LIMITATIONS; AUDITS STATE AUDITOR; AUDITS OF JOB OPPORTUNITY BUILDING ZONES AND BUSINESS SUBSIDY AGREEMENTS.~~

The Tax Increment Financing, Investment and Finance Division of the Office of the State Auditor must annually audit the creation and operation of all job opportunity building zones and business subsidy agreements entered into under Minnesota Statutes, sections 469.310 to 469.320. To the extent necessary to perform this audit, the state auditor may request from the commissioner of revenue tax return information of taxpayers who are eligible to receive tax benefits authorized under section 469.315. To the extent necessary to perform this audit, the state auditor may request from the commissioner of employment and economic development wage detail report information required under section 268.044 of taxpayers eligible to receive tax benefits authorized under section 469.315.

EFFECTIVE DATE. This section is effective the day following final enactment.

ARTICLE 4

REGIONAL EMERGING BUSINESS INVESTMENT TAX CREDIT

Section 1. **[116J.8746] REGIONAL EMERGING BUSINESS INVESTMENT TAX CREDIT.**

Subdivision 1. **Definitions.** For the purposes of this section, the following terms have the meanings given:

(1) "Qualifying small business" means a business that:

(i) for a business with five or more employees, pays wages and benefits, measured on a full-time equivalent basis, to 75 percent or more of its employees in excess of the first five employees, equal to 110 percent of the federal poverty level for a family of four;

(ii) is engaged in, or is committed to engage in, biotechnology, technology, manufacturing, agriculture, processing or assembling products, conducting research and development, or developing a new product or business process;

(iii) is not engaged in real estate development, insurance, banking, lobbying, political consulting, wholesale or retail trade, leisure, hospitality, construction, or professional services provided by attorneys, accountants, business consultants, physicians, or health care consultants;

(iv) has its headquarters in Minnesota;

(v) employs at least 51 percent of the business's employees in Minnesota;

(vi) has less than 100 employees;

(vii) has less than \$2,000,000 in annual gross sales receipts for the previous year;

(viii) is not a subsidiary or an affiliate of a business which employs more than 100 employees or has total gross sales receipts for the previous year of more than \$....., computed by aggregating all of the employees and gross sales receipts of the business entities affiliated with the business;

(ix) has not previously received more than \$2,000,000 in private equity investments; and

(x) has not previously received more than \$1,000,000 in investments that have qualified for and received tax credits under this section; and

(2) "regional investment fund" means a pooled investment fund that:

(i) invests in qualifying small businesses located in the region of the state that is the focus of the fund;

(ii) is organized as a limited liability company or other pass-through entity; and

(iii) has no fewer than five separate investors, each not owning more than 25 percent of the outstanding ownership interests in the fund. For purposes of determining the number of investors and the ownership interest of an investor under this clause, the ownership interests of an investor include those of the investor's spouse, children, and siblings, and any of the investor's corporations, partnerships, and trusts in which the investor has a controlling equity interest or in which the investor exercises management control.

Subd. 2. **Credit allowed.** A taxpayer is allowed a credit against the tax imposed under chapter 290 for qualifying investment made in the year by a qualifying regional investment fund. The credit equals 25 percent of the taxpayer's investment made in the fund, but not to exceed the lesser of:

(1) the liability for tax under chapter 290, including the applicable alternative minimum tax, but excluding the minimum fee under section 290.0922; and

(2) the amount of the certificate provided to the taxpayer by the fund under subdivision 4.

Subd. 3. Qualifying regional investment fund requirements. (a) To be certified as a qualifying regional investment fund for purposes of this section, a regional investment fund must:

(1) have a minimum of two-thirds of the regional investment fund's members, shareholders, or partners be residents of the region that is the focus of the fund; and

(2) allocate at least 60 percent of the funds it invests, or plans to invest, to qualified small businesses within the region.

(b) Investments from other regional investment funds into the qualified small business shall count toward the allocation in clause (2).

(c) Investments in the fund may consist of equity investments or notes that pay interest or other fixed amounts, or any combination of both, as the fund's governing body determines appropriate.

Subd. 4. Certification of funds. (a) Regional investment funds may apply to the commissioner of employment and economic development for certification as a qualified regional investment fund. The application must be in the form and made under the procedures specified by the commissioner.

(b) The commissioner may certify up to 20 funds. Certifications shall be awarded in the order of qualifying applications received. Of the 20 funds, the commissioner may certify no more than three funds that seek business investment opportunities that may qualify for and receive tax credits under this section in more than 15 Minnesota counties, no more than five funds that seek business investment opportunities that may qualify for and receive tax credits under this section in the metropolitan area, as defined in section 473.121, subdivision 2, and no more than three funds that seek business investment opportunities that may qualify for and receive tax credits under this subdivision in the same region of the state.

(c) The commissioner may provide certificates entitling investors in a certified fund to credits under this provision of up to \$..... for each fund upon receipt of a report from the fund showing evidence of compliance with the agreement under subdivision 5, including investment in a qualifying small business. The commissioner may not issue a total amount of certificates for all funds of more than \$..... per year in fiscal year 2009. If less than \$..... a year is spent, the remaining funds may be carried over to the following two fiscal years. Certificates may only be issued for investments made by qualified funds in qualifying small businesses located in the region in which the fund operates.

Subd. 5. Fund requirements. The commissioner of employment and economic development shall enter into an agreement with each of the qualifying regional investment funds certified under subdivision 4. Each agreement must include a provision requiring the qualifying regional investment fund to report on the employment figures, wages, and benefits paid by the businesses in which investments are made, or are planned to be made, and a provision stating the specific manner in which the regional investment fund agrees to satisfy the requirement to allocate at least 60 percent of its investments to qualified small businesses within the region. The commissioner shall define "region" for the purposes of this section.

Subd. 6. Limitations. The taxpayer must claim the credit in the same tax year for which the fund receives the tax credit certificate under subdivision 4. The credit is allowed only for investments made in qualifying regional investment funds after the fund is certified by the commissioner of employment and economic development under subdivision 4.

Subd. 7. Statement of credit share. Each fund must provide to each investor a statement indicating the investor's share of the credit certified to the fund under subdivision 4, based on the investor's pro rata investment in the fund at the time of the investment in the qualified small business.

Subd. 8. **Carryover.** If the amount of the credit under this section for any taxable year exceeds the amount reached under subdivision 2, clause (1), the excess is a credit carryover to each of the ten succeeding taxable years. The entire amount of the excess unused credit for the taxable year must be carried first to the earliest of the taxable years to which the credit may be carried. The amount of the unused credit that may be added under this paragraph may not exceed the taxpayer's liability for tax, less the credit for the taxable year.

Subd. 9. **False applications.** (a) A taxpayer who has received a credit under this act for an investment in a regional investment fund forfeits any unused credit if:

(1) the regional investment fund does not meet the conditions of subdivision 3; or

(2) the small business invested in by the fund does not meet the conditions in subdivision 1.

(b) Any credits taken on a tax return shall be returned to the commissioner of revenue as an underpayment of tax, if:

(1) the regional investment fund does not meet the conditions of subdivision 3; or

(2) the small business invested in by the fund does not meet the conditions in subdivision 1.

EFFECTIVE DATE. This section is effective July 1, 2008, for taxable years beginning after December 31, 2007, and only applies to investments made after the fund has been certified by the commissioner of employment and economic development.

Sec. 2. Minnesota Statutes 2006, section 290.06, is amended by adding a subdivision to read:

Subd. 34. **Regional emerging business investment tax credit.** A taxpayer is allowed a credit as determined under section 116J.8746 against the tax imposed by this chapter.

EFFECTIVE DATE. This section is effective July 1, 2008, for taxable years beginning after December 31, 2007, and only applies to investments made after the fund has been certified by the commissioner of employment and economic development."

Delete the title and insert:

"A bill for an act relating to economic development; modifying provisions governing the job opportunity building zones program (JOBZ); modifying tax provisions relating to JOBZ; providing reporting requirements; providing a tax credit; allowing tax benefits; defining terms; amending Minnesota Statutes 2006, sections 116J.03, by adding a subdivision; 270B.15; 289A.12, by adding a subdivision; 290.06, by adding a subdivision; 469.310, subdivision 11; 469.312, subdivision 5; 469.319; 469.3201; Minnesota Statutes 2007 Supplement, section 268.19, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 116J; 469; repealing Minnesota Statutes 2006, section 469.310, subdivision 3."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Mariani from the Committee on E-12 Education to which was referred:

H. F. No. 3629, A bill for an act relating to education; establishing a temporary, three-year appeals process for high school seniors who do not receive a passing score on the state GRAD test; directing the education commissioner to evaluate this process and make recommendations; amending Minnesota Statutes 2006, section 120B.36, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Finance.

The report was adopted.

Pelowski from the Committee on Governmental Operations, Reform, Technology and Elections to which was referred:

S. F. No. 1298, A bill for an act relating to elections; changing certain voter registration procedures and requirements, filing requirements, voting procedures, election day prohibitions, and ballot preparation requirements; establishing a complaint and resolution process; requiring challengers to prove residence in this state; requiring certain notices; changing a petition requirement; imposing penalties; amending Minnesota Statutes 2006, sections 201.016, subdivision 1a; 201.056; 201.061, subdivisions 1, 3, by adding a subdivision; 201.071, subdivision 1; 201.171; 203B.07, subdivision 2; 203B.081; 203B.12, subdivision 4; 203B.13, subdivisions 1, 2; 204B.09, subdivisions 1, 1a, 3; 204B.11, subdivision 2; 204B.16, subdivision 1; 204B.45, subdivisions 1, 2; 204C.06, subdivisions 1, 8; 204C.07, subdivision 3a, by adding a subdivision; 204D.09, subdivision 2; 204D.16; 205.10, by adding a subdivision; 205.13, by adding a subdivision; 205.16, subdivisions 2, 3, 4; 205A.05, by adding a subdivision; 205A.07, subdivisions 3, 3a; 206.57, subdivision 5; 206.89, subdivisions 1, 5; 211A.02, subdivision 2; 211A.05, subdivision 1; 211B.11, subdivision 1; 410.12, subdivision 1; 447.32, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 204B; repealing Minnesota Statutes 2006, sections 200.04; 201.061, subdivision 7; 201.096; 203B.02, subdivision 1a; 203B.13, subdivision 3a.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

ELECTIONS AND VOTING

Section 1. Minnesota Statutes 2006, section 201.054, is amended by adding a subdivision to read:

Subd. 3. **Prohibited methods of compensation; penalty.** (a) No individual may be compensated for the solicitation, collection, or acceptance of voter registration applications from voters for submission to the secretary of state, a county auditor, or other local election official in a manner in which payment is calculated by multiplying (1) either a set or variable payment rate, by (2) the number of voter registration applications solicited, collected, or accepted.

(b) No individual may be deprived of compensation or have compensation automatically reduced exclusively for failure to solicit, collect, or accept a minimum number of voter registration applications, and no individual may receive additional compensation for reaching or exceeding a minimum number of voter registration applications.

(c) A person who violates this subdivision is guilty of a petty misdemeanor.

Sec. 2. Minnesota Statutes 2006, section 201.056, is amended to read:

201.056 SIGNATURE OF REGISTERED VOTER; MARKS ALLOWED.

An individual who is unable to write the individual's name shall be required to sign a registration card ~~by making the individual's mark~~ application in the manner provided by section 645.44, subdivision 14. If the individual registers in person and signs by making a mark, the clerk or election judge accepting the registration shall certify the mark by signing the individual's name. If the individual registers by mail and signs by making a mark, the mark shall be certified by having a voter registered in the individual's precinct sign the individual's name and the voter's own name and give the voter's own address.

Sec. 3. Minnesota Statutes 2006, section 201.061, subdivision 3, is amended to read:

Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:

(1) presenting a driver's license or Minnesota identification card issued pursuant to section 171.07;

(2) presenting any document approved by the secretary of state as proper identification;

(3) presenting one of the following:

(i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or

(ii) a current student fee statement that contains the student's valid address in the precinct together with a picture identification card; or

(4) having a voter who is registered to vote in the precinct, or who is an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to 15 proof-of-residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must include a statement that the voter is registered to vote in the precinct, personally knows that the individual is a resident of the precinct, and is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.

The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be attached to the voter registration application ~~and the information on the oath must be recorded on the records of both the voter registering on election day and the voter who is vouching for the person's residence, and entered into the statewide voter registration system by the county auditor when the voter registration application is entered into that system.~~

(b) The operator of a residential facility shall prepare a list of the names of its employees currently working in the residential facility and the address of the residential facility. The operator shall certify the list and provide it to the appropriate county auditor no less than 20 days before each election for use in election day registration.

(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; a residence registered with the commissioner of health as a housing with services establishment as defined in section 144D.01, subdivision 4; a veterans home operated by the board of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; group residential housing as defined in section 256I.03, subdivision 3; a shelter for battered women as defined in section 611A.37, subdivision 4; or a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless.

(d) For tribal band members, an individual may prove residence for purposes of registering by:

(1) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, address, signature, and picture of the individual; or

(2) presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, signature, and picture of the individual and also presenting one of the documents listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

(e) A county, school district, or municipality may require that an election judge responsible for election day registration initial each completed registration application.

Sec. 4. Minnesota Statutes 2006, section 201.171, is amended to read:

201.171 POSTING VOTING HISTORY; FAILURE TO VOTE; REGISTRATION REMOVED.

Within six weeks after every election, the county auditor shall post the voting history for every person who voted in the election. After the close of the calendar year, the secretary of state shall determine if any registrants have not voted during the preceding four years. The secretary of state shall perform list maintenance by changing the status of those registrants to "inactive" in the statewide registration system. The list maintenance performed must be conducted in a manner that ensures that the name of each registered voter appears in the official list of eligible voters in the statewide registration system. A voter must not be removed from the official list of eligible voters unless the voter is not eligible or is not registered to vote. List maintenance must include procedures for eliminating duplicate names from the official list of eligible voters.

The secretary of state shall also prepare a report to the county auditor containing the names of all registrants whose status was changed to "inactive."

Registrants whose status was changed to "inactive" must register in the manner specified in section 201.054 before voting in any primary, special primary, general, school district, or special election, as required by section 201.018.

Although not counted in an election, a late or rejected absentee or mail ballot must be considered a vote for the purpose of continuing registration.

Sec. 5. Minnesota Statutes 2006, section 203B.07, is amended to read:

203B.07 RETURN AND BALLOT ENVELOPES; DIRECTIONS TO VOTERS.

Subdivision 1. **Delivery of envelopes, directions.** The county auditor or the municipal clerk shall prepare, print, and transmit a return envelope, a ballot envelope, and a copy of the directions for casting an absentee ballot to each applicant whose application for absentee ballots is accepted pursuant to section 203B.04. The county auditor or municipal clerk shall provide first class postage for the return envelope. The directions for casting an absentee ballot shall be printed in at least 14-point bold type with heavy leading and may be printed on the ballot envelope. When a person requests the directions in Braille or on cassette tape, the county auditor or municipal clerk shall provide them in the form requested. The secretary of state shall prepare Braille and cassette copies and make them available.

When a voter registration card is sent to the applicant as provided in section 203B.06, subdivision 4, the directions or registration card shall include instructions for registering to vote.

Subd. 2. **Design of envelopes.** The return envelope shall be of sufficient size to conveniently enclose and contain the ballot envelope and a folded voter registration card ~~folded along its perforations application~~. The return envelope shall be designed to open on the left-hand end. ~~Notwithstanding any rule to the contrary, if the voter was not previously registered,~~ if the voter was not previously registered, the return envelope must be designed in one of the following ways:

(1) it must be of sufficient size to contain an additional envelope that when sealed, conceals the signature, identification, and other information; or

(2) it must provide an additional flap that when sealed, conceals the signature, identification, and other information.

Election officials may open the flap or the additional envelope at any time after receiving the returned ballot to inspect the returned certificate for completeness or to ascertain other information.

Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot shall be printed on the back of the return envelope. The certificate shall contain a statement to be signed and sworn by the voter indicating that the voter meets all of the requirements established by law for voting by absentee ballot. The certificate shall also contain a statement signed by a person who is registered to vote in Minnesota or by a notary public or other individual authorized to administer oaths stating that:

~~(a)~~ (1) the ballots were displayed to that individual unmarked;

~~(b)~~ (2) the voter marked the ballots in that individual's presence without showing how they were marked, or, if the voter was physically unable to mark them, that the voter directed another individual to mark them; and

~~(c) if the voter was not previously registered,~~ (3) the voter has provided proof of residence as required by section 201.061, subdivision 3.

~~The county auditor or municipal clerk shall affix first class postage to the return envelopes.~~

Sec. 6. Minnesota Statutes 2006, section 203B.081, is amended to read:

203B.081 LOCATIONS FOR ABSENTEE VOTING IN PERSON.

An eligible voter may vote by absentee ballot during the 30 days before the election in the office of the county auditor and at any other polling place designated by the county auditor. The county auditor shall make such designations at least 90 days before the election. At least one voting booth in each polling place must be made available by the county auditor for this purpose. The county auditor must also make available at least one electronic ballot marker in each polling place that has implemented a voting system that is accessible for individuals with disabilities pursuant to section 206.57, subdivision 5.

Sec. 7. Minnesota Statutes 2006, section 203B.13, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The governing body of any county ~~that has established a counting center as provided in section 206.85, subdivision 2,~~ any municipality, or any school district may by ordinance or resolution, authorize an absentee ballot board. The board shall consist of a sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22.

Sec. 8. Minnesota Statutes 2006, section 203B.13, subdivision 2, is amended to read:

Subd. 2. **Duties.** The absentee ballot board may ~~do any of the following:~~

~~(a) receive from each precinct in the municipality or school district all ballot envelopes marked "Accepted" by the election judges; provided that the governing body of a municipality or the school board of a school district may authorize the board to examine all return absentee ballot envelopes and receive accept or reject absentee ballots in the manner provided in section 203B.12;~~

~~(b) open and count the absentee ballots, tabulating the vote in a manner that indicates each vote of the absentee voter and the total absentee vote cast for each candidate or question in each precinct; or~~

~~(c) report the vote totals tabulated for each precinct.~~

The absentee ballot board may begin the process of examining the return envelopes and marking them "accepted" or "rejected" at any time during the 30 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the official in charge of the absentee ballot board shall provide the voter with a replacement absentee ballot and return envelope in place of the spoiled ballot. ~~The secretary of state shall provide samples of the replacement ballot and return envelope for use by the county auditor.~~

Sec. 9. Minnesota Statutes 2006, section 204B.09, is amended to read:

204B.09 TIME AND PLACE OF FILING AFFIDAVITS AND PETITIONS.

Subdivision 1. **Candidates in state and county general elections.** (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state, and federal offices filled at the state general election shall be filed not more than 70 days nor less than 56 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer or an individual authorized to administer oaths under section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by major political parties. Major party candidates for presidential elector are certified under section 208.03. Other candidates for presidential electors may file petitions on or before the state primary day pursuant to section 204B.07. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for county offices ~~to be voted on in only one county shall~~ must be filed with the county auditor of that county. Affidavits and petitions for federal offices ~~to be voted on in more than one county shall~~ must be filed with the secretary of state. Affidavits and petitions for state offices must be filed with the secretary of state or with the county auditor of the county in which the candidate resides.

(e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must be received by 5:00 p.m. on the last day for filing.

Subd. 1a. **Absent candidates.** (a) A candidate for special district, county, state, or federal office who will be absent from the state during the filing period may submit a properly executed affidavit of candidacy, the appropriate filing fee, and any necessary petitions in person to the filing officer. The candidate shall state in writing the reason for being unable to submit the affidavit during the filing period. The affidavit, filing fee, if any, and petitions must be submitted to the filing officer during the seven days immediately preceding the candidate's absence from the state. Nominating petitions may be signed during the 14 days immediately preceding the date when the affidavit of candidacy is filed.

(b) A candidate for special district, county, state, or federal office who will be absent from the state during the entire filing period or who must leave the state for the remainder of the filing period and who certifies to the secretary of state that the circumstances constitute an emergency and were unforeseen, may submit a properly executed affidavit of candidacy by facsimile device or by transmitting electronically a scanned image of the affidavit to the secretary of state during the filing period. The candidate shall state in writing the specific reason for being unable to submit the affidavit by mail or by hand during the filing period or in person prior to the start of the filing period. The affidavit of candidacy, filing fee, if any, and any necessary petitions must be received by the secretary of state by 5:00 p.m. on the last day for filing. If the candidate is filing for a special district or county office, the secretary of state shall forward the affidavit of candidacy, filing fee, if any, and any necessary petitions to the appropriate filing officer.

Subd. 2. **Other elections.** Affidavits of candidacy and nominating petitions for city, town or other elective offices shall be filed during the time and with the official specified in chapter 205 or other applicable law or charter, except as provided for a special district candidate under subdivision 1a. Affidavits of candidacy and applications filed on behalf of eligible voters for school board office shall be filed during the time and with the official specified in chapter 205A or other applicable law. Affidavits of candidacy and nominating petitions filed under this subdivision must be submitted by mail or by hand, notwithstanding chapter 325L, or any other law to the contrary, and must be received by the appropriate official within the specified time for the filing of affidavits and petitions for the office.

Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who wants write-in votes for the candidate to be counted must file a written request with the filing office for the office sought no later than the ~~fifth~~ seventh day before the general election. The filing officer shall provide copies of the form to make the request.

(b) A candidate for president of the United States who files a request under this subdivision must include the name of a candidate for vice-president of the United States. The request must also include the name of at least one candidate for presidential elector. The total number of names of candidates for presidential elector on the request may not exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

(c) A candidate for governor who files a request under this subdivision must include the name of a candidate for lieutenant governor.

Sec. 10. Minnesota Statutes 2006, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. **Authority; location.** The governing body of each municipality and of each county with precincts in unorganized territory shall designate by ordinance or resolution a polling place for each election precinct. Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall be located within the boundaries of the precinct or within ~~3,000 feet~~ one mile of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Sec. 11. Minnesota Statutes 2006, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given at least six weeks prior to the election. ~~No earlier~~ Not more than 20 30 days or nor later than 14 days prior to the election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the town or unorganized territory. No later than 14 days before the election, the auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk may appoint election judges to examine the return envelopes and mark them "accepted" or "rejected" during the 30 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. The costs of the mailing shall be paid by the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 12. Minnesota Statutes 2006, section 204C.06, subdivision 1, is amended to read:

Subdivision 1. **Lingering near polling place.** An individual shall be allowed to go to and from the polling place for the purpose of voting without unlawful interference. No one except an election official or an individual who is waiting to register or to vote shall stand within 100 feet of the ~~entrance to a polling place. The entrance to a polling place is the doorway or point of entry leading into the room or area where voting is occurring building in which a polling place is located.~~

Sec. 13. Minnesota Statutes 2006, section 204C.07, subdivision 3a, is amended to read:

Subd. 3a. **Residence requirement.** A challenger must be a resident of this state. Appointed challengers seeking admission to a polling place to serve in that capacity must prove their status as a resident of this state by presenting one of the documents listed in section 201.061, subdivision 3. Challengers need not prove residence in the precinct in which they seek to act as a challenger.

Sec. 14. Minnesota Statutes 2006, section 204C.35, subdivision 1, is amended to read:

Subdivision 1. **Automatic recounts.** (a) In a state primary when the difference between the votes cast for the candidates for nomination to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office:

(1) is less than one-half of one percent of the total number of votes counted for that nomination; or

(2) is ten votes or less and the total number of votes cast for the nomination is 400 votes or less;

and the difference determines the nomination, the canvassing board with responsibility for declaring the results for that office shall manually recount the vote.

(b) In a state general election when the difference between the votes of a candidate who would otherwise be declared elected to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office and the votes of any other candidate for that office:

(1) is less than one-half of one percent of the total number of votes counted for that office; or

(2) is ten votes or less if the total number of votes cast for the office is 400 votes or less,

the canvassing board shall manually recount the votes.

(c) A recount must not delay any other part of the canvass. The results of the recount must be certified by the canvassing board as soon as possible.

(d) Time for notice of a contest for an office which is recounted pursuant to this section shall begin to run upon certification of the results of the recount by the canvassing board.

(e) A losing candidate may waive a recount required pursuant to this section by filing a written notice of waiver with the canvassing board.

Sec. 15. Minnesota Statutes 2006, section 204C.35, subdivision 2, is amended to read:

Subd. 2. ~~Optional~~ **Discretionary candidate recount.** (a) A losing candidate for nomination or election to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office may request a recount in a manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by this section. The votes shall be manually recounted as provided in this section if the candidate files a request during the time for filing notice of contest of the primary or election for which a recount is sought.

(b) The requesting candidate shall file with the filing officer a bond, cash, or surety in an amount set by the filing officer for the payment of the recount expenses. The requesting candidate is responsible for the following expenses: the compensation of the secretary of state, or designees, and any election judge, municipal clerk, county auditor, administrator, or other personnel who participate in the recount; the costs of computer operation, preparation of ballot counting equipment, necessary supplies and travel related to the recount; the compensation of the appropriate canvassing board and costs of preparing for the canvass of recount results; and any attorney fees incurred in connection with the recount by the governing body responsible for the recount.

Sec. 16. Minnesota Statutes 2006, section 204C.35, is amended by adding a subdivision to read:

Subd. 2a. **Discretionary partial candidate recount.** (a) A losing candidate for nomination or election to an office where the difference between the votes cast for that candidate and the winning candidate is greater than one-half of one percent and less than five percent of the total votes counted for the office may request a partial manual recount at the candidate's expense. The recount official must determine the expenses for the partial recount in the manner provided by subdivision 2, paragraph (b). The request for a partial recount must be submitted in writing to the recount official during the time for filing notice of contest of the primary or election for which a recount is sought. The candidate requesting the recount may identify in the request up to three specific precincts in which the ballots are to be recounted. Any specific precincts requested by a candidate for recount must be recounted.

(b) If the results of the vote counting in the manual recount is different from the results of the vote counting reported on election day by a margin greater than the standard for acceptable performance of voting systems provided in section 206.89, subdivision 4, the election results shall be subject to a complete review as provided in section 206.89, subdivision 5. If the costs of the partial recount indicate a result different from that which was reported on election day, any costs submitted by the candidate to pay for the recount shall be refunded and the costs shall be assumed by the political subdivision in which the discrepancy occurred.

(c) This subdivision does not apply to any of the offices covered by section 206.89, subdivision 3.

Sec. 17. Minnesota Statutes 2006, section 204C.36, subdivision 2, is amended to read:

Subd. 2. **Discretionary candidate recounts.** A losing candidate for nomination or election to a county, municipal, or school district office may request a recount in the manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by subdivision 1, clauses (a) to (e). The votes shall be manually recounted as provided in this section if the requesting candidate files with the county auditor, municipal clerk, or school district clerk a bond, cash, or surety in an amount set by the governing body of the jurisdiction or the school board of the school district for the payment of the recount expenses.

Sec. 18. Minnesota Statutes 2006, section 204C.36, is amended by adding a subdivision to read:

Subd. 2a. **Discretionary partial candidate recount.** (a) A losing candidate for nomination or election to an office where the difference between the votes cast for that candidate and the winning candidate is greater than one-half of one percent and less than five percent of the total votes counted for the office may request a partial manual recount at the candidate's expense. The recount official must determine the expenses for the partial recount in the manner provided by section 204C.35, subdivision 2, paragraph (b). The request for a partial recount must be submitted in writing to the recount official during the time for filing notice of contest of the primary or election for which a recount is sought. The candidate requesting the recount may identify in the request up to three specific precincts in which the ballots are to be recounted. Any specific precincts requested by a candidate for recount must be recounted.

(b) If the results of the vote counting in the manual recount is different from the results of the vote counting reported on election day by a margin greater than the standard for acceptable performance of voting systems provided in section 206.89, subdivision 4, the election results shall be subject to a complete review as provided in section 206.89, subdivision 5. If the costs of the partial recount indicate a result different from that which was reported on election day, any costs submitted by the candidate to pay for the recount shall be refunded and the costs shall be assumed by the political subdivision in which the discrepancy occurred.

Sec. 19. Minnesota Statutes 2006, section 205.16, subdivision 4, is amended to read:

Subd. 4. **Notice to auditor.** At least 53 days prior to every municipal election, the municipal clerk shall provide a written notice to the county auditor, including the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. Not less than 46 days before the election, the municipal clerk must provide written notice to the county auditor of any special election canceled under section 205.10, subdivision 6.

Sec. 20. Minnesota Statutes 2006, section 205A.05, is amended by adding a subdivision to read:

Subd. 3. **Cancellation.** A special election ordered by the school board on its own motion under subdivision 1 may be canceled by motion of the school board, but not less than 46 days before the election.

Sec. 21. Minnesota Statutes 2006, section 205A.07, subdivision 3, is amended to read:

Subd. 3. **Notice to auditor.** At least 53 days prior to every school district election, the school district clerk shall provide a written notice to the county auditor of each county in which the school district is located. The notice must include the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. For the purposes of meeting the timelines of this section, in a bond election, a notice, including a proposed question, may be provided to the county auditor prior to receipt of a review and comment from the commissioner of education and prior to actual initiation of the election. Not less than 46 days before the election, the school district clerk must provide written notice to the county auditor of any special election canceled under section 205A.05, subdivision 3.

Sec. 22. Minnesota Statutes 2006, section 205A.07, subdivision 3a, is amended to read:

Subd. 3a. **Notice to commissioner of education.** At least 49 days prior to every school district election, under section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58, the school district clerk shall provide a written notice to the commissioner of education. The notice must include the date of the election and the title and language for each ballot question to be voted on at the election. Not less than 46 days before the election, the school district clerk must provide a written notice to the commissioner of education of any special election canceled under section 205A.05, subdivision 3. The certified vote totals for each ballot question shall be provided in a written notice to the commissioner in a timely manner.

Sec. 23. Minnesota Statutes 2006, section 206.89, subdivision 1, is amended to read:

Subdivision 1. **Definition.** For purposes of this section "postelection review official" means the ~~election administration official who is responsible for the conduct of elections in a precinct selected for review under this section~~ county auditor, unless the county auditor designates the municipal clerk as the "postelection review official" within 24 hours after the canvass of the state general election.

Sec. 24. Minnesota Statutes 2006, section 206.89, subdivision 2, is amended to read:

Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the postelection review of the state general election to be held under this section.

At the canvass of the state general election, the county canvassing boards must select the precincts to be reviewed. The county canvassing board of a county with fewer than 50,000 registered voters must select at least two precincts for postelection review. The county canvassing board of a county with between 50,000 and 100,000 registered voters must select at least three precincts for review. The county canvassing board of a county with over

100,000 registered voters must select at least four precincts, or five percent of the total number of precincts in the county, whichever is greater. A losing candidate may select up to three specific precincts to be reviewed. Any precincts selected by a candidate must be included in the postelection review. ~~The~~ All other precincts must be selected by lot at a public meeting. At least one precinct selected in each county must have had more than 150 votes cast at the general election.

The county auditor must notify the secretary of state of the precincts that have been chosen for review and the time and place the postelection review for that county will be conducted, as soon as the decisions are made. The secretary of state must post this information on the office Web site.

Sec. 25. Minnesota Statutes 2006, section 206.89, subdivision 5, is amended to read:

Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts reveals a difference greater than one-half of one percent, or greater than two votes in a precinct where 400 or fewer voters cast ballots, the postelection review official must, within two days, conduct an additional review of the races indicated in subdivision 3 in at least three precincts in the same jurisdiction where the discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the county auditor must immediately publicly select by lot at least three additional precincts for review. The postelection review official must complete the additional review within two days after the precincts are selected and report the results immediately to the county auditor. If the second review in any of the reviewed precincts also indicates a difference in the vote totals compiled by the voting system that is greater than one-half of one percent from the result indicated by the postelection review, or greater than two votes in a precinct where 400 or fewer voters cast ballots, the county auditor must conduct a review of the ballots from all the remaining precincts in the county for the races indicated in subdivision 3. This review must be completed no later than six weeks after the state general election.

(b) If the results from the countywide reviews from one or more counties comprising in the aggregate more than ten percent of the total number of persons voting in the election clearly indicate that an error in vote counting has occurred, the postelection review official must conduct a manual recount of all the ballots in the district for the affected office. The recount must be completed and the results reported to the appropriate canvassing board no later than ten weeks after the state general election.

Sec. 26. Minnesota Statutes 2006, section 211A.02, subdivision 2, is amended to read:

Subd. 2. **Information required.** The report to be filed by a candidate or committee must include:

- (1) the name of the candidate or ballot question;
- (2) the printed name and, address, telephone number, signature, and e-mail address, if available, of the person responsible for filing the report;
- (3) the total amount of receipts and expenditures for the period from the last previous report to five days before the current report is due;
- (4) the amount, date, and purpose for each expenditure; and
- (5) the name, address, and employer, or occupation if self-employed, of any individual or committee that during the year has made one or more contributions that in the aggregate ~~are equal to or greater than~~ exceed \$100, and the amount and date of each contribution. The filing officer must restrict public access to the address of any individual who has made a contribution that exceeds \$100 and who has filed with the filing officer a written statement signed by the individual that withholding the individual's address from the financial report is required for the safety of the individual or the individual's family.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to contributions made after December 31, 2007. However, if a candidate or committee has filed a report before the effective date of this section that includes contributions made after December 31, 2007, the candidate or committee does not need to amend or refile that report.

Sec. 27. Minnesota Statutes 2006, section 211A.05, subdivision 1, is amended to read:

Subdivision 1. **Penalty.** A candidate who intentionally fails to file a report required by section 211A.02 or a certification required by this section is guilty of a misdemeanor. The treasurer of a committee formed to promote or defeat a ballot question who intentionally fails to file a report required by section 211A.02 or a certification required by this section is guilty of a misdemeanor. Each candidate or treasurer of a committee formed to promote or defeat a ballot question shall certify to the filing officer that all reports required by section 211A.02 have been submitted to the filing officer or that the candidate or committee has not received contributions or made disbursements exceeding \$750 in the calendar year. The certification shall be submitted to the filing officer no later than seven days after the general or special election. The secretary of state shall prepare blanks for this certification. An officer who issues a certificate of election to a candidate who has not certified that all reports required by section 211A.02 have been filed is guilty of a misdemeanor.

Sec. 28. **REPEALER.**

Minnesota Statutes 2006, sections 203B.02, subdivision 1a; and 203B.13, subdivision 3a, are repealed.

Sec. 29. **EFFECTIVE DATE.**

Sections 5, 8, 9, and 21 to 26 are effective for elections held after June 1, 2008. Unless otherwise noted, all other sections are effective on June 1, 2008.

ARTICLE 2

TECHNICAL MODIFICATIONS

Section 1. Minnesota Statutes 2006, section 103C.305, subdivision 3, is amended to read:

Subd. 3. **Ballots.** Ballots shall be prepared by the county auditor. The names of candidates shall be placed on the "canary ballot" described in section 204D.11, subdivision 3. The office title printed on the ballot must be either "Soil and Water Conservation District Supervisor" or "Conservation District Supervisor," based upon the district from which the supervisor is to be elected.

Sec. 2. Minnesota Statutes 2006, section 201.054, subdivision 1, is amended to read:

Subdivision 1. **Registration.** An individual may register to vote:

(1) at any time before the 20th day preceding any election as provided in section 201.061, subdivision 1;

(2) on the day of an election as provided in section 201.061, subdivision 3; or

(3) when submitting an absentee ballot, by enclosing a completed registration ~~and~~ application as provided in section 203B.04, subdivision 4.

Sec. 3. Minnesota Statutes 2006, section 201.061, subdivision 4, is amended to read:

Subd. 4. **Registration by election judges; procedures.** Registration at the polling place on election day shall be conducted by the election judges. The election judge who registers an individual at the polling place on election day shall not handle that voter's ballots at any time prior to the opening of the ballot box after the voting ends. Registration ~~cards~~ applications and forms for oaths shall be available at each polling place. If an individual who registers on election day proves residence by oath of a registered voter, the form containing the oath shall be attached to the individual's registration ~~card~~ application. Registration ~~cards~~ applications completed on election day shall be forwarded to the county auditor who shall add the name of each voter to the registration system unless the information forwarded is substantially deficient. A county auditor who finds an election day registration substantially deficient shall give written notice to the individual whose registration is found deficient. An election day registration shall not be found deficient solely because the individual who provided proof of residence was ineligible to do so.

Sec. 4. Minnesota Statutes 2006, section 201.071, subdivision 3, is amended to read:

Subd. 3. **Deficient registration.** No voter registration application is deficient if it contains the voter's name, address, date of birth, current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification number, the last four digits of the voter's Social Security number, if the voter has been issued a Social Security number, prior registration, if any, and signature. The absence of a zip code number does not cause the registration to be deficient. Failure to check a box on an application form that a voter has certified to be true does not cause the registration to be deficient. The election judges shall request an individual to correct a voter registration application if it is deficient or illegible ~~or if the name or number of the voter's school district is missing or obviously incorrect~~. No eligible voter may be prevented from voting unless the voter's registration application is deficient or the voter is duly and successfully challenged in accordance with section 201.195 or 204C.12.

A voter registration application accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county or municipality may attempt to obtain the date of birth for a voter registration application accepted prior to August 1, 1983, by a request to the voter at any time except at the polling place. Failure by the voter to comply with this request does not make the registration deficient.

A voter registration application accepted before January 1, 2004, is not deficient for lack of a valid Minnesota driver's license or state identification number or the last four digits of a Social Security number. A voter registration application submitted by a voter who does not have a Minnesota driver's license or state identification number, or a Social Security number, is not deficient for lack of any of these numbers.

Sec. 5. Minnesota Statutes 2006, section 201.071, subdivision 4, is amended to read:

Subd. 4. **Change of registration.** ~~Any A~~ A county auditor who receives a registration ~~card~~ application indicating that an individual was previously registered in a different county in Minnesota shall ~~notify the county auditor of that county~~ update the voter's record electronically through the statewide registration system in the manner prescribed ~~in the rules of~~ by the secretary of state. ~~A county auditor receiving a registration card indicating that a voter was previously registered in a different precinct in the same county or receiving a notification as provided in this subdivision shall remove that individual's voter registration card from the files.~~ Any A county auditor who receives a registration ~~card~~ application or notification requiring a change of registration records under this subdivision as a result of an election day registration shall also check the statewide registration system to determine whether the individual voted in more than one precinct in the most recent election.

Sec. 6. Minnesota Statutes 2006, section 201.081, is amended to read:

201.081 REGISTRATION FILES.

The statewide registration system is the official record of registered voters. The voter registration ~~cards~~ applications and the terminal providing access to the statewide registration system must be under the control of the county auditor or the public official to whom the county auditor has delegated the responsibility for maintaining voter registration records. The voter registration ~~cards~~ applications and terminals providing access to the statewide registration system must not be removed from the control of the county auditor except as provided in this subdivision. The county auditor may make photographic copies of voter registration ~~cards~~ applications in the manner provided by section 138.17.

A properly completed voter registration ~~card~~ application that has been submitted to the secretary of state or a county auditor must be maintained by the secretary of state or the county auditor for at least 22 months after the date that the information on the ~~card~~ application is entered into the database of the statewide registration system. The secretary of state or the county auditor may dispose of the ~~cards~~ applications after retention for 22 months in the manner provided by section 138.17.

Sec. 7. Minnesota Statutes 2006, section 201.091, subdivision 1, is amended to read:

Subdivision 1. **Master list.** Each county auditor shall prepare and maintain a current list of registered voters in each precinct in the county which is known as the master list. The master list must be created by entering each completed voter registration ~~card~~ application received by the county auditor into the statewide registration system. It must show the name, residence address, and date of birth of each voter registered in the precinct. The information contained in the master list may only be made available to public officials for purposes related to election administration, jury selection, and in response to a law enforcement inquiry concerning a violation of or failure to comply with any criminal statute or state or local tax statute.

Sec. 8. Minnesota Statutes 2006, section 201.091, subdivision 8, is amended to read:

Subd. 8. **Registration places.** Each county auditor shall designate a number of public buildings in those political subdivisions of the county where preregistration of voters is allowed as provided in section 201.061, subdivision 1, where eligible voters may register to vote. At least one public building must be designated for each 30,000 residents of the county. At least one telecommunications device for the deaf must be available for voter registration information in each county seat and in every city of the first, second, and third class.

An adequate supply of registration ~~cards~~ applications and instructions must be maintained at each designated location, and a designated individual must be available there to accept registration ~~cards~~ applications and transmit them to the county auditor.

A person who, because of disability, needs assistance in order to determine eligibility or to register must be assisted by a designated individual. Assistance includes but is not limited to reading the registration form and instructions and filling out the registration form as directed by the eligible voter.

Sec. 9. Minnesota Statutes 2006, section 201.27, subdivision 1, is amended to read:

Subdivision 1. **Intentional violation.** No officer, deputy, clerk, or other employee shall intentionally:

(1) fail to perform or enforce any of the provisions of this chapter except subdivision 2;

(2) remove a registration ~~card~~ application or record from its proper place in the registration files in a manner or for a purpose not authorized by law;

(3) destroy or make an unauthorized change to a record required to be kept by this chapter; or

(4) add a name or names to the voter registration files, records, or ~~cards~~ applications, except as authorized by law.

An individual who violates this subdivision is guilty of a felony.

Sec. 10. Minnesota Statutes 2006, section 203B.04, subdivision 1, is amended to read:

Subdivision 1. **Application procedures.** Except as otherwise allowed by subdivision 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election may be submitted at any time not less than one day before the day of that election. The county auditor shall prepare absentee ballot application forms in the format provided by the secretary of state, notwithstanding rules on absentee ballot forms, and shall furnish them to any person on request. By January 1 of each even-numbered year, the secretary of state shall make the forms to be used available to auditors through electronic means. An application submitted pursuant to this subdivision shall be in writing and shall be submitted to:

(a) the county auditor of the county where the applicant maintains residence; or

(b) the municipal clerk of the municipality, or school district if applicable, where the applicant maintains residence.

An application shall be approved if it is timely received, signed and dated by the applicant, contains the applicant's name and residence and mailing addresses, and states that the applicant is eligible to vote by absentee ballot for one of the reasons specified in section 203B.02. The application may contain a request for the voter's date of birth, which must not be made available for public inspection. An application may be submitted to the county auditor or municipal clerk by an electronic facsimile device. An application mailed or returned in person to the county auditor or municipal clerk on behalf of a voter by a person other than the voter must be deposited in the mail or returned in person to the county auditor or municipal clerk within ten days after it has been dated by the voter and no later than six days before the election. The absentee ballot applications or a list of persons applying for an absentee ballot may not be made available for public inspection until the close of voting on election day.

An application under this subdivision may contain an application under subdivision 5 to automatically receive an absentee ballot application.

Sec. 11. Minnesota Statutes 2006, section 203B.04, subdivision 4, is amended to read:

Subd. 4. **Registration at time of application.** An eligible voter who is not registered to vote but who is otherwise eligible to vote by absentee ballot may register by including a completed voter registration ~~card~~ application with the absentee ballot. The individual shall present proof of residence as required by section 201.061, subdivision 3, to the individual who witnesses the marking of the absentee ballots. A military voter, as defined in section 203B.01, may register in this manner if voting pursuant to sections 203B.04 to 203B.15, or may register pursuant to sections 203B.16 to 203B.27.

Sec. 12. Minnesota Statutes 2006, section 203B.05, subdivision 2, is amended to read:

Subd. 2. **City, school district, and town elections.** For city, town, and school district elections not held on the same day as a statewide election, ~~for school district elections not held on the same day as a statewide election, and for town elections conducted under the Australian ballot system~~, applications for absentee ballots shall be filed with the city, school district, or town clerk and the duties prescribed by this chapter for the county auditor shall be

performed by the city, school district, or town clerk unless the county auditor agrees to perform those duties on behalf of the city, school district, or town clerk. The costs incurred to provide absentee ballots and perform the duties prescribed by this subdivision shall be paid by the city, town, or school district holding the election.

Notwithstanding any other law, this chapter applies to school district elections held on the same day as a statewide election or an election for a county or municipality wholly or partially within the school district.

Sec. 13. Minnesota Statutes 2006, section 203B.07, subdivision 1, is amended to read:

Subdivision 1. **Delivery of envelopes, directions.** The county auditor or the municipal clerk shall prepare, print, and transmit a return envelope, a ballot envelope, and a copy of the directions for casting an absentee ballot to each applicant whose application for absentee ballots is accepted pursuant to section 203B.04. The directions for casting an absentee ballot shall be printed in at least 14-point bold type with heavy leading and may be printed on the ballot envelope. When a person requests the directions in Braille or on cassette tape, the county auditor or municipal clerk shall provide them in the form requested. The secretary of state shall prepare Braille and cassette copies and make them available.

When a voter registration ~~card~~ application is sent to the applicant as provided in section 203B.06, subdivision 4, the directions or registration ~~card~~ application shall include instructions for registering to vote.

Sec. 14. Minnesota Statutes 2006, section 203B.08, subdivision 3, is amended to read:

Subd. 3. **Procedures on receipt of ballots.** When absentee ballots are returned to a county auditor or municipal clerk, that official shall stamp or initial and date the return envelope ~~with an official seal of the office~~ and place it in a secure location with other return envelopes received by that office. The county auditor or municipal clerk shall deliver to the appropriate election judges on election day all ballots received before or with the last mail delivery by the United States Postal Service on election day. A town clerk may request the United States Postal Service to deliver absentee ballots to the polling place on election day instead of to the official address of the town clerk.

Sec. 15. Minnesota Statutes 2006, section 203B.10, is amended to read:

203B.10 DELIVERY OF ABSENTEE BALLOT APPLICATIONS TO ELECTION JUDGES.

(a) On the day before an election:

~~(a)~~ (1) the county auditor shall deliver to the municipal clerks within that county the applications for absentee ballots theretofore received and endorsed as provided in section 203B.06, subdivision 5; and

~~(b)~~ (2) the municipal clerks shall deliver the applications received from the county auditor and the applications for absentee ballots filed with their respective offices and endorsed as provided in section 203B.06, subdivision 5, to the appropriate election judges. Applications received on election day pursuant to section 203B.04, subdivision 2, shall be promptly delivered to the election judges in the precincts or to the judges of an absentee ballot board.

(b) Delivery of the applications to the municipal clerks and election judges in the precinct is not required if the absentee ballot envelopes have been accepted or rejected by an absentee ballot board pursuant to section 203B.13.

Sec. 16. Minnesota Statutes 2006, section 204B.06, subdivision 8, is amended to read:

Subd. 8. **Proof of eligibility.** A candidate for judicial office or for the office of county attorney shall submit with the affidavit of candidacy proof that the candidate is licensed to practice law in this state. Proof means providing a copy of a current attorney license.

A candidate for county sheriff shall submit with the affidavit of candidacy proof of licensure as a peace officer in this state. Proof means providing a copy of a current Peace Officer Standards and Training Board license.

EFFECTIVE DATE. This section is effective for elections held after June 1, 2008.

Sec. 17. Minnesota Statutes 2006, section 204B.08, subdivision 3, is amended to read:

Subd. 3. **Number of signatures.** The number of signatures required on a nominating petition shall be as follows:

(a) for a ~~federal or state~~ office voted on statewide ~~or for United States senator~~, one percent of the total number of individuals voting in the state at the last preceding state general election, or 2,000, whichever is less;

(b) for a congressional office, five percent of the total number of individuals voting in the district at the last preceding state general election, or 1,000, whichever is less;

(c) for a county or legislative office, ten percent of the total number of individuals voting in the county or legislative district at the last preceding state or county general election, or 500, whichever is less;

(d) for a municipal office in a city of the first class, the number specified in section 205.121; and

(e) for any other municipal or school district office, ten percent of the total number of individuals voting in the municipality, ward, school district, or other election district at the last preceding municipal, or school district if applicable, general election, or 500, whichever is less.

Sec. 18. Minnesota Statutes 2006, section 205A.10, subdivision 1, is amended to read:

Subdivision 1. **Materials, ballots.** The school district clerk shall prepare and have printed the necessary election materials, including ballots, for a school district election. ~~The name of each candidate for office shall be rotated with the names of the other candidates for the same office so that the name of each candidate appears substantially an equal number of times at the top, at the bottom, and at each intermediate place in the group of candidates for that office names must be arranged on school district ballots in the manner provided in section 204D.08, subdivision 3, for state elections.~~

EFFECTIVE DATE. This section is effective for elections held after June 1, 2008.

Sec. 19. Minnesota Statutes 2006, section 205A.11, subdivision 2, is amended to read:

Subd. 2. **Combined polling place.** When no other election is being held in two or more precincts on the day of a school district election, the school board may designate one or more combined polling places at which the voters in those precincts may vote in the school district election. In school districts that have organized into separate board member election districts under section 205A.12, a combined polling place for a school general election must be arranged so that it does not include more than one board member election district.

EFFECTIVE DATE. This section is effective for elections held after June 1, 2008.

Sec. 20. Minnesota Statutes 2006, section 206.82, subdivision 2, is amended to read:

Subd. 2. **Plan.** ~~(a) Subject to paragraph (b),~~ The municipal clerk in a municipality where an electronic voting system is used and the county auditor of a county in which an electronic voting system is used in more than one municipality and the county auditor of a county in which a counting center serving more than one municipality is

located shall prepare a plan which indicates acquisition of sufficient facilities, computer time, and professional services and which describes the proposed manner of complying with section 206.80. The plan must be signed, notarized, and submitted to the secretary of state more than 60 days before the first election at which the municipality uses an electronic voting system. Prior to July 1 of each subsequent general election year, the clerk or auditor shall submit to the secretary of state notification of any changes to the plan on file with the secretary of state. The secretary of state shall review each plan for its sufficiency and may request technical assistance from the Department of Administration or other agency which may be operating as the central computer authority. The secretary of state shall notify each reporting authority of the sufficiency or insufficiency of its plan within 20 days of receipt of the plan. The attorney general, upon request of the secretary of state, may seek a district court order requiring an election official to fulfill duties imposed by this subdivision or by rules promulgated pursuant to this section.

~~(b) Systems implemented by counties and municipalities in calendar year 2006 are exempt from paragraph (a) and section 206.58, subdivision 4, if:~~

~~(1) the municipality has fewer than 10,000 residents; and~~

~~(2) a valid county plan was filed by the county auditor of the county in which the municipality is located.~~

Sec. 21. Laws 2004, chapter 293, article 1, section 37, subdivision 2, is amended to read:

Subd. 2. **Social Security number.** A voter must not be included on the list of voters prepared under Minnesota Statutes, section 201.121, subdivision 1, whose registration is incomplete because of a failure to match the last four digits of the voter's Social Security number until the commissioner of public safety has:

(1) entered into an agreement with the commissioner of the Social Security Administration under Minnesota Statutes, section 201.1615, regarding the use of the last four digits of a Social Security number to verify voter registration information;

~~(2) assembled a complete and current database of the last four digits of the Social Security number of each resident of this state as maintained by the Social Security Administration; and~~

~~(3) (2) certified, along with the secretary of state, that the voter registration system has been tested and shown to properly verify the last four digits of a voter's Social Security number.~~

EFFECTIVE DATE. This section is effective retroactively to November 29, 2007.

Sec. 22. **EFFECTIVE DATE.**

Unless otherwise specified, all sections in this article are effective on June 1, 2008."

Delete the title and insert:

"A bill for an act relating to elections; changing or establishing certain voter registration procedures and requirements, filing requirements, voting procedures, election day prohibitions, ballot preparation requirements, and other election provisions; imposing penalties; amending Minnesota Statutes 2006, sections 103C.305, subdivision 3; 201.054, subdivision 1, by adding a subdivision; 201.056; 201.061, subdivisions 3, 4; 201.071, subdivisions 3, 4; 201.081; 201.091, subdivisions 1, 8; 201.171; 201.27, subdivision 1; 203B.04, subdivisions 1, 4; 203B.05, subdivision 2; 203B.07; 203B.08, subdivision 3; 203B.081; 203B.10; 203B.13, subdivisions 1, 2; 204B.06, subdivision 8; 204B.08, subdivision 3; 204B.09; 204B.16, subdivision 1; 204B.45, subdivision 2; 204C.06, subdivision 1; 204C.07, subdivision 3a; 204C.35, subdivisions 1, 2, by adding a subdivision; 204C.36, subdivision

2, by adding a subdivision; 205.16, subdivision 4; 205A.05, by adding a subdivision; 205A.07, subdivisions 3, 3a; 205A.10, subdivision 1; 205A.11, subdivision 2; 206.82, subdivision 2; 206.89, subdivisions 1, 2, 5; 211A.02, subdivision 2; 211A.05, subdivision 1; Laws 2004, chapter 293, article 1, section 37, subdivision 2; repealing Minnesota Statutes 2006, sections 203B.02, subdivision 1a; 203B.13, subdivision 3a."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1546, 2903, 3204, 3412, 3478 and 3517 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1298 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Murphy, E., and Loeffler introduced:

H. F. No. 3865, A bill for an act relating to public health; modifying academic standards to include nutrition; creating an advisory council on health, nutrition, and physical education; amending Minnesota Statutes 2007 Supplement, section 120B.021, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Hilty, Rukavina and Hornstein introduced:

H. F. No. 3866, A bill for an act relating to drivers' licenses; halting cumulative suspensions; amending Minnesota Statutes 2006, section 171.18, subdivision 1.

The bill was read for the first time and referred to the Transportation Finance Division.

Moe introduced:

H. F. No. 3867, A bill for an act relating to higher education; appropriating money to reduce tuition at the Minnesota State Colleges and Universities.

The bill was read for the first time and referred to the Committee on Finance.

Lieder introduced:

H. F. No. 3868, A bill for an act relating to transportation finance; correcting transitional rate of special fuel excise tax on compressed natural gas; amending Laws 2008, chapter 152, article 3, section 6.

The bill was read for the first time and referred to the Committee on Finance.

Eken introduced:

H. F. No. 3869, A bill for an act relating to human services; providing long-term care provider rate adjustments; providing funding for long-term care provider rate adjustments by modifying individual income tax rates; amending Minnesota Statutes 2006, section 290.06, subdivisions 2c, 2d; Minnesota Statutes 2007 Supplement, sections 256B.434, subdivision 19; 256B.5012, subdivision 7; Laws 2007, chapter 147, article 7, section 71.

The bill was read for the first time and referred to the Committee on Finance.

Fritz introduced:

H. F. No. 3870, A bill for an act relating to safe patient handling; requiring clinical plans; amending Minnesota Statutes 2007 Supplement, sections 182.6551; 182.6552, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 182.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Hosch; Fritz; Murphy, E.; Otremba; Wardlow; Heidgerken; Urdahl; Davnie and Tillberry introduced:

H. F. No. 3871, A bill for an act relating to education; creating a grant program to allow school districts to embed social and emotional learning into their curriculum; appropriating money.

The bill was read for the first time and referred to the Committee on E-12 Education.

Thissen introduced:

H. F. No. 3872, A bill for an act relating to health; authorizing a computer-based model to assess the impact of health care reform proposals; requiring a study of changes to state budgeting approaches; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Rukavina and Anzelc introduced:

H. F. No. 3873, A bill for an act relating to human services; prohibiting the release of the names of certain potential enrollees to health plans for marketing purposes; amending Minnesota Statutes 2006, section 256B.69, subdivision 28.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Anzelc and Rukavina introduced:

H. F. No. 3874, A bill for an act relating to retirement; allowing certain governmental employers to offer alternative deferred compensation plans and to increase contributions to those plans; amending Minnesota Statutes 2006, section 356.24, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

Swails introduced:

H. F. No. 3875, A bill for an act relating to education; clarifying gifted and talented student services; amending Minnesota Statutes 2007 Supplement, sections 120B.15; 126C.10, subdivision 2b.

The bill was read for the first time and referred to the Committee on E-12 Education.

Atkins and Liebling introduced:

H. F. No. 3876, A bill for an act relating to higher education; authorizing a law school loan repayment program for public defenders; appropriating money; amending Minnesota Statutes 2006, section 611.215, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 611.

The bill was read for the first time and referred to the Committee on Finance.

Haws introduced:

H. F. No. 3877, A bill for an act relating to veterans; increasing the per semester and annual grant amount for veterans receiving Minnesota GI Bill educational assistance for higher education; amending Minnesota Statutes 2007 Supplement, section 197.791, subdivision 5.

The bill was read for the first time and referred to the Committee on Finance.

Lillie; Peterson, A.; Sertich and Anzelc introduced:

H. F. No. 3878, A bill for an act relating to insurance; regulating life settlements; providing enforcement; prescribing criminal penalties and civil remedies; proposing coding for new law in Minnesota Statutes, chapter 60A; repealing Minnesota Statutes 2006, sections 60A.961; 60A.962; 60A.963; 60A.964; 60A.965; 60A.966; 60A.967; 60A.968; 60A.969; 60A.970; 60A.971; 60A.972; 60A.973; 60A.974.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

Hilty introduced:

H. F. No. 3879, A bill for an act relating to energy; regulating certain property rights related to wind energy; amending Minnesota Statutes 2007 Supplement, section 500.30, subdivision 2.

The bill was read for the first time and referred to the Energy Finance and Policy Division.

Beard introduced:

H. F. No. 3880, A bill for an act relating to utilities; limiting utilities' use of natural gas as fuel for generating electricity and limiting recovery of those costs; amending Minnesota Statutes 2006, sections 216B.16, subdivision 7; 216B.243, by adding a subdivision.

The bill was read for the first time and referred to the Energy Finance and Policy Division.

Emmer introduced:

H. F. No. 3881, A bill for an act relating to human services; allowing certain home modifications to be allowed expenses for the home and community-based waiver programs.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Simpson introduced:

H. F. No. 3882, A bill for an act relating to taxation; modifying and standardizing the definition of lodging for lodging tax purposes; amending Minnesota Statutes 2006, section 469.190, subdivision 1; Laws 1969, chapter 1092, section 2, subdivision 4; Laws 1980, chapter 511, section 2, as amended; Laws 1982, chapter 523, article 25, section 1, as amended; Laws 1986, chapter 396, section 5, as amended; Laws 1986, chapter 462, section 31, as amended; Laws 1990, chapter 604, article 6, section 9, subdivision 1, as amended; Laws 2002, chapter 377, article 3, section 25, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Hackbarth introduced:

H. F. No. 3883, A bill for an act relating to taxation; providing a property tax exemption for personal property at a certain electric generation facility; amending Minnesota Statutes 2006, section 272.02, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Paulsen, Bunn, Gottwalt, Thissen, Brod and Dean introduced:

H. F. No. 3884, A bill for an act relating to health; changing the evaluation process for mandated health benefit proposals; requiring a report; amending Minnesota Statutes 2006, section 62J.26.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Norton, Thao, Brown, Greiling and Slawik introduced:

H. F. No. 3885, A bill for an act relating to higher education; establishing a pilot financial aid program for teachers of color; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

FISCAL CALENDAR

Pursuant to rule 1.22, Solberg requested immediate consideration of H. F. No. 380.

H. F. No. 380 was reported to the House.

Scalze, Garofalo, Faust and Kalin moved to amend H. F. No. 380, the second engrossment, as follows:

Page 93, after line 19, insert:

"Sec. 66. **LEGISLATIVE INTENT; DEBT SERVICE.**

The legislature intends that in any biennium for which the budget forecast is prepared, the biennial general fund appropriation for debt service should not exceed three percent of forecasted nondedicated general fund revenues."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Buesgens moved to amend the Scalze et al amendment to H. F. No. 380, the second engrossment, as follows:

Page 1, delete line 4

Page 1, line 5, delete "prepared,"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 41 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dean	Erickson	Kohls	Otremba	Shimanski
Anderson, S.	DeLaForest	Finstad	Lanning	Paulsen	Simpson
Beard	Demmer	Gottwalt	Magnus	Peppin	Smith
Berns	Dettmer	Gunther	McFarlane	Ruth	Wardlow
Brod	Drazkowski	Hackbarth	McNamara	Ruud	Westrom
Buesgens	Eastlund	Hamilton	Nornes	Seifert	Zellers
Cornish	Emmer	Hoppe	Olson	Severson	

Those who voted in the negative were:

Abeler	Doty	Hortman	Lieder	Olin	Solberg
Anzelc	Eken	Hosch	Lillie	Ozment	Swails
Atkins	Erhardt	Howes	Loeffler	Paymar	Thao
Benson	Faust	Huntley	Mahoney	Pelowski	Thissen
Bigham	Fritz	Jaros	Mariani	Peterson, A.	Tillberry
Bly	Gardner	Johnson	Marquart	Peterson, N.	Tingelstad
Brown	Garofalo	Juhnke	Masin	Peterson, S.	Tschumper
Brynaert	Greiling	Kalin	Moe	Poppe	Urdahl
Bunn	Hansen	Knuth	Morgan	Rukavina	Wagenius
Carlson	Hausman	Koenen	Morrow	Sailer	Walker
Clark	Haws	Kranz	Mullery	Scalze	Ward
Davnie	Heidgerken	Laine	Murphy, E.	Sertich	Welti
Dill	Hilstrom	Lenczewski	Murphy, M.	Simon	Winkler
Dittrich	Hilty	Lesch	Nelson	Slawik	Spk. Kelliher
Dominguez	Hornstein	Liebling	Norton	Slocum	

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Scalze et al amendment and the roll was called. There were 128 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hausman	Lesch	Olson	Slocum
Anderson, B.	Dill	Haws	Liebling	Otremba	Smith
Anderson, S.	Dittrich	Heidgerken	Lieder	Ozment	Solberg
Anzelc	Dominguez	Hilstrom	Lillie	Paulsen	Swails
Atkins	Doty	Hilty	Loeffler	Paymar	Tillberry
Beard	Drazkowski	Holberg	Magnus	Pelowski	Tingelstad
Benson	Eastlund	Hoppe	Mahoney	Peppin	Tschumper
Berns	Eken	Hornstein	Mariani	Peterson, A.	Urdahl
Bigham	Emmer	Hortman	Marquart	Peterson, N.	Wagenius
Bly	Erhardt	Hosch	Masin	Peterson, S.	Walker
Brod	Erickson	Howes	McFarlane	Poppe	Ward
Brown	Faust	Huntley	McNamara	Ruth	Wardlow
Brynaert	Finstad	Johnson	Moe	Ruud	Welti
Buesgens	Fritz	Juhnke	Morgan	Sailer	Westrom
Bunn	Gardner	Kalin	Morrow	Scalze	Winkler
Carlson	Garofalo	Knuth	Mullery	Seifert	Wollschlager
Clark	Gottwalt	Koenen	Murphy, E.	Sertich	Zellers
Cornish	Greiling	Kohls	Murphy, M.	Severson	Spk. Kelliher
Davnie	Gunther	Kranz	Nelson	Shimanski	
Dean	Hackbarth	Laine	Nornes	Simon	
DeLaForest	Hamilton	Lanning	Norton	Simpson	
Demmer	Hansen	Lenczewski	Olin	Slawik	

Those who voted in the negative were:

Jaros	Rukavina	Thao	Thissen
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The motion prevailed and the amendment was adopted.

Seifert moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 16, line 2, delete "34,000,000" and insert "153,000,000"

Page 16, after line 35, insert:

"Subd. 4. Cooperative Facilities Grants

119,000,000

For grants under the Cooperative Facilities Grants Program, under Minnesota Statutes, section 123A.441 to 123A.446."

Page 46, line 6, delete "111,700,000" and insert "41,700,000"

Page 46, delete lines 9 to 33

Page 47, delete lines 1 to 3

Page 54, line 28, delete "133,625,000" and insert "84,625,000"

Page 57, delete lines 9 to 23

Page 59, delete lines 32 to 34

Page 60, delete lines 1 to 2

Renumber the subdivisions in sequence

Adjust amounts accordingly

A roll call was requested and properly seconded.

The question was taken on the Seifert amendment and the roll was called. There were 62 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abeler	Cornish	Erickson	Howes	Paulsen	Tschumper
Anderson, B.	Dean	Faust	Kalin	Peppin	Urdahl
Anderson, S.	DeLaForest	Finstad	Kohls	Peterson, N.	Ward
Beard	Demmer	Garofalo	Kranz	Poppe	Wardlow
Benson	Dettmer	Gottwalt	Lanning	Ruth	Welti
Berns	Dittrich	Gunther	Magnus	Ruud	Westrom
Bly	Doty	Hackbarth	McNamara	Seifert	Zellers
Brod	Drazkowski	Hamilton	Nornes	Severson	
Brown	Eastlund	Heidgerken	Olin	Shimanski	
Buesgens	Emmer	Holberg	Olson	Simpson	
Bunn	Erhardt	Hoppe	Otremba	Smith	

Those who voted in the negative were:

Anzelc	Greiling	Juhnke	Marquart	Pelowski	Thao
Atkins	Hansen	Knuth	Masin	Peterson, A.	Thissen
Bigham	Hausman	Koenen	McFarlane	Peterson, S.	Tillberry
Brynaert	Haws	Laine	Moe	Rukavina	Tingelstad
Carlson	Hilstrom	Lenczewski	Morgan	Sailer	Wagenius
Clark	Hilty	Lesch	Morrow	Scalze	Walker
Davnie	Hornstein	Liebling	Mullery	Sertich	Winkler
Dill	Hortman	Lieder	Murphy, E.	Simon	Wollschlager
Dominguez	Hosch	Lillie	Murphy, M.	Slawik	Spk. Kelliher
Eken	Huntley	Loeffler	Nelson	Slocum	
Fritz	Jaros	Mahoney	Norton	Solberg	
Gardner	Johnson	Mariani	Paymar	Swails	

The motion did not prevail and the amendment was not adopted.

Seifert moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 16, line 32, delete "2,000,000" and insert "10,000,000"

Page 16, after line 30, insert:

"Subd. 3. **Anoka Prairie Restoration** 240,000

For a grant to Independent School District No. 11, Anoka-Hennepin, to acquire land adjacent to Riverview Elementary School and for improvements of a capital nature to develop and restore wetland and native prairie habitat on the land.

Subd. 4. **Alden-Conger Community Center** 950,000

For a grant to Independent School District No. 242, Alden-Conger, to acquire land for, design, construct, furnish, and equip a multifunction facility in Alden.

Subd. 5. **Northwest Hennepin Family Center** 3,500,000

For a grant to Independent School District No. 279, Osseo, to predesign, design, construct, furnish, and equip the Northwest Hennepin Family Center in Brooklyn Center. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from nonstate sources.

Subd. 6. **United South Central Cooperative Facilities Grant** 20,000,000

For a grant to Independent School District No. 2134, United South Central, upon approval of the commissioner of education. The district does not need to comply with the timelines in Minnesota Statutes, section 123A.443. The commissioner must approve or deny the grant within 60 days of its receipt.

Subd. 7. Rushford-Peterson Cooperative Facilities Grant20,000,000

For a grant to Independent School District No. 239, Rushford-Peterson, upon approval of the commissioner of education. The district does not need to comply with the timelines in Minnesota Statutes, section 123A.443. The commissioner must approve or deny the grant within 60 days of its receipt.

Subd. 8. Cooperative Facilities Grants41,160,000

For cooperative facilities grants.

Subd. 9. Austin Area Success Center3,000,000

For a grant to the city of Austin to design, construct, furnish, and equip the center."

Page 26, delete subdivision 21

Page 29, line 34, delete "13,520,000" and insert "4,000,000"

Page 30, line 1, delete everything after "To"

Page 30, line 2, delete "and"

Page 31, delete subdivision 29

Page 33, delete subdivision 32

Page 44, delete subdivision 3

Page 45, delete subdivision 4

Page 46, delete subdivision 6

Page 47, delete subdivisions 4 and 5

Page 48, delete subdivisions 6 to 9

Page 49, delete subdivisions 10 to 12

Page 50, delete subdivisions 14 to 17

Page 51, line 18, delete "1,000,000" and insert "5,000,000"

Page 57, delete subdivisions 7 and 8

Page 58, delete subdivisions 10 and 12

Page 59, delete subdivisions 14, 16, and 17

Renumber the subdivisions in sequence

Adjust amounts accordingly

A roll call was requested and properly seconded.

The question was taken on the Seifert amendment and the roll was called. There were 52 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abeler	Cornish	Erickson	Holberg	Olson	Shimanski
Anderson, B.	Dean	Faust	Hoppe	Paulsen	Simpson
Anderson, S.	DeLaForest	Finstad	Howes	Peppin	Smith
Beard	Demmer	Garofalo	Kohls	Peterson, S.	Tschumper
Benson	Dettmer	Gottwalt	Kranz	Poppe	Wardlow
Berns	Dittrich	Gunther	Lanning	Ruth	Westrom
Brod	Drazkowski	Hackbarth	Magnus	Ruud	Zellers
Brown	Eastlund	Hamilton	McNamara	Seifert	
Buesgens	Emmer	Hilstrom	Nornes	Severson	

Those who voted in the negative were:

Anzenc	Fritz	Juhnke	Masin	Pelowski	Tillberry
Atkins	Gardner	Kalin	McFarlane	Peterson, A.	Tingelstad
Bigham	Greiling	Knuth	Moe	Peterson, N.	Urdahl
Bly	Hansen	Koenen	Morgan	Rukavina	Wagenius
Brynaert	Hausman	Laine	Morrow	Sailer	Walker
Bunn	Haws	Lenczewski	Mullery	Scalze	Ward
Carlson	Heidgerken	Lesch	Murphy, E.	Sertich	Welti
Clark	Hilty	Liebling	Murphy, M.	Simon	Winkler
Davnie	Hornstein	Lieder	Nelson	Slawik	Wollschlager
Dill	Hortman	Lillie	Norton	Slocum	Spk. Kelliher
Dominguez	Hosch	Loeffler	Olin	Solberg	
Doty	Huntley	Mahoney	Otremba	Swails	
Eken	Jaros	Mariani	Ozment	Thao	
Erhardt	Johnson	Marquart	Paymar	Thissen	

The motion did not prevail and the amendment was not adopted.

Buesgens moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 18, line 25, delete "16,000,000" and insert "30,000,000"

Page 21, line 29, delete "2,500,000" and insert "5,000,000"

Page 23, line 14, delete "1,000,000" and insert "10,000,000"

Page 23, line 32, delete "650,000" and insert "10,000,000"

Page 25, line 15, delete "8,000,000" and insert "20,000,000"

Page 26, after line 24, insert:

"Subd. 9. **Forest Land Easements** 20,000,000

To acquire fee titles and easements on private forest lands."

Page 26, delete lines 25 to 28

Page 26, line 30, delete "125,000" and insert "2,000,000"

Page 27, line 2, delete "8,000,000" and insert "12,000,000"

Page 29, line 34, delete "13,520,000" and insert "4,000,000"

Page 30, line 1, delete everything after "To"

Page 30, line 2, delete "and"

Page 31, delete lines 3 to 35

Page 32, delete lines 1 to 31

Page 33, delete lines 14 to 19

Page 34, after line 4, insert:

"Subd. 18. **Drill Core Library and Field Office Renovation** 5,000,000

To design, construct, furnish, and equip an addition to the minerals drill core library facility in Hibbing."

Page 34, after line 8, insert:

"Subd. 2. **Closed Landfill Program** 15,000,000

To design and construct remedial systems and acquire land at landfills throughout the state in accordance with the closed landfill program under Minnesota Statutes, sections 115B.39 to 115B.42."

Page 35, after line 7, insert:

"Subd. 3. **Capital Assistance Program** 7,125,000

For the solid waste capital assistance grants program under Minnesota Statutes, section 115A.54."

Page 44, delete lines 26 to 33

Page 45, delete lines 1 to 25

Page 46, delete lines 1 to 4

Page 47, delete lines 19 to 34

Delete page 48

Page 49, delete lines 1 to 22

Page 49, delete lines 23 to 29

Page 50, delete lines 6 to 30

Page 57, delete lines 9 to 33

Page 58, delete lines 10 to 13

Page 58, delete lines 29 to 35

Page 59, delete lines 7 to 14

Page 59, delete lines 26 to 31

Page 59, delete lines 32 to 34

Page 60, delete lines 1 to 3

Renumber subdivisions in sequence

Adjust the totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Buesgens amendment and the roll was called. There were 46 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Abeler	Cornish	Erickson	Holberg	Olson	Smith
Anderson, B.	Dean	Faust	Hoppe	Paulsen	Tschumper
Anderson, S.	DeLaForest	Finstad	Kohls	Peppin	Wardlow
Beard	Demmer	Garofalo	Lanning	Poppe	Walti
Berns	Dettmer	Gottwalt	Magnus	Ruth	Westrom
Brod	Drazkowski	Gunther	McNamara	Seifert	Zellers
Brown	Eastlund	Hackbarth	Nornes	Shimanski	
Buesgens	Emmer	Hamilton	Olin	Simpson	

Those who voted in the negative were:

Anzelc	Erhardt	Jaros	Mariani	Pelowski	Thao
Atkins	Fritz	Johnson	Marquart	Peterson, A.	Thissen
Benson	Gardner	Juhnke	Masin	Peterson, N.	Tillberry
Bigham	Greiling	Kalin	McFarlane	Peterson, S.	Tingelstad
Bly	Hansen	Knuth	Moe	Rukavina	Urdahl
Brynaert	Hausman	Koenen	Morgan	Ruud	Wagenius
Bunn	Haws	Kranz	Morrow	Sailer	Walker
Carlson	Heidgerken	Laine	Mullery	Scalze	Ward
Clark	Hilstrom	Lenczewski	Murphy, E.	Sertich	Winkler
Davnie	Hilty	Lesch	Murphy, M.	Severson	Wollschlager
Dill	Hornstein	Liebling	Nelson	Simon	Spk. Kelliher
Dittrich	Hortman	Lieder	Norton	Slawik	
Dominguez	Hosch	Lillie	Otremba	Slocum	
Doty	Howes	Loeffler	Ozment	Solberg	
Eken	Huntley	Mahoney	Paymar	Swails	

The motion did not prevail and the amendment was not adopted.

Beard and Shimanski were excused between the hours of 12:10 p.m. and 1:50 p.m.

Seifert moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 16, after line 35, insert:

"Subd. 4. **Cooperative Facilities Grants**

11,000,000

For grants under the Cooperative Facilities Grants Program, under Minnesota Statutes, section 123A.441 to 123A.446."

Page 59, delete subdivision 17

Renumber the subdivisions in sequence

Adjust amounts accordingly

A roll call was requested and properly seconded.

The question was taken on the Seifert amendment and the roll was called. There were 62 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abeler	Brod	Dean	Doty	Erickson	Gottwalt
Anderson, B.	Brown	DeLaForest	Drazkowski	Faust	Gunther
Anderson, S.	Buesgens	Demmer	Eastlund	Finstad	Hackbarth
Benson	Bunn	Dettmer	Emmer	Fritz	Hamilton
Berns	Cornish	Dittrich	Erhardt	Garofalo	Heidgerken

Holberg	Lanning	Olson	Ruth	Tingelstad	Westrom
Hoppe	Magnus	Otremba	Ruud	Tschumper	Zellers
Howes	McNamara	Paulsen	Seifert	Urdahl	
Kalin	Nornes	Peppin	Severson	Ward	
Kohls	Norton	Peterson, N.	Simpson	Wardlow	
Kranz	Olin	Poppe	Smith	Welti	

Those who voted in the negative were:

Anzelc	Gardner	Jaros	Loeffler	Nelson	Slocum
Atkins	Greiling	Johnson	Mahoney	Paymar	Solberg
Bigham	Hansen	Juhnke	Mariani	Pelowski	Swails
Bly	Hausman	Knuth	Marquart	Peterson, A.	Thao
Brynaert	Haws	Koenen	Masin	Peterson, S.	Thissen
Carlson	Hilstrom	Laine	Moe	Rukavina	Tillberry
Clark	Hilty	Lenczewski	Morgan	Sailer	Wagenius
Davnie	Hornstein	Lesch	Morrow	Scalze	Walker
Dill	Hortman	Liebling	Mullery	Sertich	Winkler
Dominguez	Hosch	Lieder	Murphy, E.	Simon	Wollschlager
Eken	Huntley	Lillie	Murphy, M.	Slawik	Spk. Kelliher

The motion did not prevail and the amendment was not adopted.

Erickson moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 31, delete lines 3 to 35

Page 32, delete lines 1 to 31

Page 41, line 17, delete "3,500,000" and insert "5,500,000"

Page 43, after line 16, insert:

"Subd. 4. **Public Safety Technology and Support Center - Dakota County**

7,800,000

To the commissioner of public safety for a grant to Dakota County to design, construct, furnish, and equip a countywide public safety technology and support center. This appropriation is not available until the commissioner of finance determines that at least an equal amount is committed to the project from nonstate sources.

Subd. 5. **Public Safety Training Center - Scott County**

3,200,000

To the commissioner of public safety for a grant to Scott County for design and construction of a regional public safety training center in Scott County.

No portion of these funds may be used to construct training facilities that currently exist, and are available to state and local public safety professionals, within a 30-mile radius of the grounds of the public safety training center.

Subd. 6. Emergency Training Center - Gonvick

50,000

To the commissioner of public safety for a grant to the city of Gonvick for predesign of a regional emergency training administration center in Gonvick.

Subd. 7. Emergency Operations Center - Minneapolis

8,000,000

To the commissioner of public safety for a grant to the city of Minneapolis to design, construct, furnish, and equip improvements including an emergency operations center to the city's existing fire training center.

Subd. 8. Tactical Training Center - Annandale

164,000

To the commissioner of public safety for a grant to the city of Annandale to predesign, design, construct, furnish, and equip improvements in the tactical training center, including improvements to the indoor live fire shoot house for air quality and noise mitigation, a steel breaching door, moving target systems within the shoot house and outdoor range, and a 40-foot rappelling tower for high angle fire, rescue, and police tactical training.

Subd. 9. Northern Minnesota Regional Training Center - Grand Rapids

1,452,000

To the commissioner of public safety for a grant to the city of Grand Rapids to predesign, design, construct, furnish, and equip a new fire and hazardous response team facility in Grand Rapids.

Subd. 10. Minnesota Emergency Response and Industrial Training (MERIT) Regional Training Center - Marshall

975,000

To the commissioner of public safety for a grant to the city of Marshall to predesign, design, construct, furnish, and equip Phase II of the Minnesota Emergency Response and Industry Training (MERIT) Center, including a wind energy training area, an ethanol fuels training area, a multi-use single-story office, a classroom and simulator building, and other training facilities.

Subd. 11. Public Safety and Regional Emergency Operations Center - Northfield

6,040,000

To the commissioner of public safety for a grant to the city of Northfield to acquire land for and to predesign, design, construct, furnish, and equip a public safety and regional emergency operations center. This appropriation is not available until the commissioner of finance has determined that at least \$3,960,000 has been committed to the project from nonstate funds.

Subd. 12. Forensic Crime Lab - Anoka County6,000,000

To the commissioner of public safety for a grant to Anoka County to design, construct, furnish, and equip a regional forensic crime laboratory, for the use of Anoka, Sherburne, and Wright Counties, to be located in Anoka County. This appropriation is contingent on a three-to-one local match.

Anoka County may not hire scientists who are working for the Bureau of Criminal Apprehension to staff the county's crime lab.

Subd. 13. Forensic Crime Lab - Minneapolis2,700,000

To the commissioner of public safety for a grant to the city of Minneapolis to acquire land for, predesign, and design a forensic crime laboratory in Minneapolis. The city of Minneapolis may not hire scientists who are working for the Bureau of Criminal Apprehension to staff the crime lab of the city of Minneapolis.

Subd. 14. Joint Public Safety Building - Princeton3,000,000

To the commissioner of public safety for a grant to the city of Princeton to design, construct, furnish, and equip a regional public safety facility in Princeton."

Page 54, line 10, delete "11,000,000" and insert "16,136,000"

Page 54, after line 25, insert:

"Subd. 4. Minnesota Correctional Facility - Red Wing: Vocational Education Building6,000,000

To complete design for and to construct, furnish, and equip a new vocational education building with a combined classroom and shop complex at the Minnesota Correctional Facility - Red Wing.

Subd. 5. Minnesota Correctional Facility - Shakopee: Perimeter Security Fence6,963,000

To design a perimeter security fence system at the Minnesota Correctional Facility - Shakopee."

Page 57, delete lines 9 to 23

Page 59, delete lines 26 to 31

Page 59, delete lines 32 to 34

Page 60, delete lines 1 to 3

Renumber subdivisions in sequence

Adjust the totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Erickson amendment and the roll was called. There were 60 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Faust	Hoppe	Morgan	Seifert
Anderson, B.	DeLaForest	Finstad	Kalin	Nornes	Severson
Anderson, S.	Demmer	Fritz	Koenen	Olson	Simpson
Benson	Dettmer	Garofalo	Kohls	Ozment	Smith
Berns	Dittrich	Gottwalt	Kranz	Paulsen	Tingelstad
Bigham	Drazkowski	Gunther	Lanning	Peppin	Tschumper
Bly	Eastlund	Hackbarth	Magnus	Peterson, N.	Urdahl
Brod	Emmer	Hamilton	Masin	Ruth	Wardlow
Buesgens	Erhardt	Heidgerken	McFarlane	Ruud	Westrom
Cornish	Erickson	Holberg	McNamara	Sailer	Zellers

Those who voted in the negative were:

Anzelc	Gardner	Jaros	Mariani	Pelowski	Thao
Atkins	Greiling	Johnson	Marquart	Peterson, A.	Thissen
Brown	Hansen	Juhnke	Moe	Peterson, S.	Tillberry
Brynaert	Hausman	Knuth	Morrow	Poppe	Wagenius
Bunn	Haws	Laine	Mullery	Rukavina	Walker
Carlson	Hilstrom	Lenczewski	Murphy, E.	Scalze	Ward
Clark	Hilty	Lesch	Murphy, M.	Sertich	Welti
Davnie	Hornstein	Liebling	Nelson	Simon	Winkler
Dill	Hortman	Lieder	Norton	Slawik	Wollschlager
Dominguez	Hosch	Lillie	Olin	Slocum	Spk. Kelliher
Doty	Howes	Loeffler	Otremba	Solberg	
Eken	Huntley	Mahoney	Paymar	Swails	

The motion did not prevail and the amendment was not adopted.

Abeler, Hausman and Tingelstad moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 15, line 30, delete "June 30" and insert "July 31"

The motion prevailed and the amendment was adopted.

Kohls moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 26, delete lines 25 to 28

Page 29, line 34, delete "13,520,000" and insert "4,000,000"

Page 30, line 1, delete everything after "To"

Page 30, line 2, delete "and"

Page 31, delete lines 3 to 35

Page 32, delete lines 1 to 31

Page 33, delete lines 14 to 19

Page 44, delete lines 26 to 33

Page 45, delete lines 1 to 25

Page 46, delete lines 1 to 4

Page 47, delete lines 19 to 34

Page 48, delete lines 1 to 34

Page 49, delete lines 1 to 22

Page 49, delete lines 23 to 29

Page 50, delete lines 6 to 30

Page 54, line 34, delete "5,000,000" and insert "20,000,000"

Page 55, line 13, delete "9,325,000" and insert "20,000,000"

Page 56, line 17, delete "5,000,000" and insert "20,000,000"

Page 57, delete lines 9 to 33

Page 58, delete lines 10 to 13

Page 58 delete lines 29 to 35

Page 59, delete lines 7 to 14

Page 59, delete lines 26 to 31

Page 59, delete lines 32 to 34

Page 60, delete lines 1 to 3

Page 60, line 17, delete "35,000,000" and insert "45,000,000"

Page 60, line 32, delete "15,300,000" and insert "50,000,000"

Page 62, line 15, delete "2,000,000" and insert "10,000,000"

Page 62, line 19, delete "2,000,000" and insert "5,587,000"

Page 62, line 25, delete "2,000,000" and insert "5,588,000"

Renumber subdivisions in sequence

Adjust the totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Kohls amendment and the roll was called. There were 45 yeas and 84 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Erickson	Holberg	Nornes	Smith
Anderson, B.	DeLaForest	Faust	Hoppe	Olson	Tschumper
Anderson, S.	Demmer	Finstad	Kalin	Paulsen	Wardlow
Berns	Dettmer	Garofalo	Kohls	Peppin	Westrom
Brod	Doty	Gottwalt	Lanning	Ruth	Zellers
Brown	Drazkowski	Gunther	Magnus	Seifert	
Buesgens	Eastlund	Hackbarth	McFarlane	Severson	
Cornish	Emmer	Hamilton	McNamara	Simpson	

Those who voted in the negative were:

Anzelc	Erhardt	Huntley	Mahoney	Paymar	Solberg
Atkins	Fritz	Jaros	Mariani	Pelowski	Swails
Benson	Gardner	Johnson	Marquart	Peterson, A.	Thao
Bigham	Greiling	Juhnke	Masin	Peterson, N.	Thissen
Bly	Hansen	Knuth	Moe	Peterson, S.	Tillberry
Brynaert	Hausman	Koenen	Morgan	Poppe	Tingelstad
Bunn	Haws	Kranz	Morrow	Rukavina	Urdahl
Carlson	Heidgerken	Laine	Mullery	Ruud	Wagenius
Clark	Hilstrom	Lenczewski	Murphy, E.	Sailer	Walker
Davnie	Hilty	Lesch	Murphy, M.	Scalze	Ward
Dill	Hornstein	Liebling	Nelson	Sertich	Welti
Dittrich	Hortman	Lieder	Norton	Simon	Winkler
Dominguez	Hosch	Lillie	Olin	Slawik	Wollschlager
Eken	Howes	Loeffler	Otremba	Slocum	Spk. Kelliher

The motion did not prevail and the amendment was not adopted.

Severson moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 52, line 23, delete "2,800,000" and insert "9,900,000"

Page 54, after line 5, insert:

"Subd. 8. **Fergus Falls Veterans Home** 9,000,000

To construct, furnish, and equip a 21-bed special care unit for persons with Alzheimer's disease or dementia, and additional clinical space. The commissioner of veterans affairs must apply to the United States Department of Veterans Affairs for matching grant funds under the federal State Home Construction Grant Program administered by the federal agency.

Subd. 9. **Hastings Veterans Home Supportive Housing** 6,000,000

To complete design for and to construct, furnish, and equip 30 units of permanent supportive housing for veterans with disabilities on the campus of the Minnesota Veterans Home-Hastings. The permanent supportive housing shall consist of 30 efficiency apartments for single adults. Staff at the Minnesota Veterans Home-Hastings shall be expected to provide property management and supportive services for the housing unit.

Subd. 10. **Minneapolis Veterans Home Campus**

(a) **Building 9 Demolition** 1,000,000

To demolish Building 9 and relocate a water main serving the campus.

(b) **New Nursing Facility** 25,999,000

To design, construct, furnish, and equip a 100-bed nursing facility on the Minneapolis campus.

Federal money received by the Minnesota Department of Veterans Affairs as reimbursement for 65 percent of this state capital expenditure must be credited to the debt service account in the state bond fund."

Page 57, delete lines 9 to 23

Page 59, delete lines 32 to 34

Page 60, delete lines 1 to 2

Adjust amounts accordingly

A roll call was requested and properly seconded.

The question was taken on the Severson amendment and the roll was called. There were 58 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Fritz	Howes	Olson	Smith
Anderson, B.	Dettmer	Garofalo	Kalin	Otremba	Swails
Anderson, S.	Doty	Gottwalt	Koenen	Ozment	Tingelstad
Berns	Drazkowski	Gunther	Kohls	Paulsen	Urdahl
Brod	Eastlund	Hackbarth	Lanning	Peppin	Ward
Buesgens	Emmer	Hamilton	Magnus	Peterson, N.	Wardlow
Bunn	Erhardt	Haws	Masin	Ruth	Westrom
Cornish	Erickson	Heidgerken	McFarlane	Seifert	Zellers
Dean	Faust	Holberg	McNamara	Severson	
DeLaForest	Finstad	Hoppe	Nornes	Simpson	

Those who voted in the negative were:

Anzelc	Dominguez	Jaros	Mahoney	Paymar	Slocum
Atkins	Eken	Johnson	Mariani	Pelowski	Solberg
Benson	Gardner	Juhnke	Marquart	Peterson, A.	Thao
Bigham	Greiling	Knuth	Moe	Peterson, S.	Thissen
Bly	Hansen	Kranz	Morgan	Poppe	Tillberry
Brown	Hausman	Laine	Morrow	Rukavina	Tschumper
Brynaert	Hilstrom	Lenczewski	Mullery	Ruud	Wagenius
Carlson	Hilty	Lesch	Murphy, E.	Sailer	Walker
Clark	Hornstein	Liebling	Murphy, M.	Scalze	Welti
Davnie	Hortman	Lieder	Nelson	Sertich	Winkler
Dill	Hosch	Lillie	Norton	Simon	Wollschlager
Dittrich	Huntley	Loeffler	Olin	Slawik	Spk. Kelliher

The motion did not prevail and the amendment was not adopted.

Emmer moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 26, delete lines 25 to 28

Page 29, line 34, delete "13,520,000" and insert "4,000,000"

Page 30, line 1, delete everything after "To"

Page 30, line 2, delete "and"

Page 30, delete lines 4 to 32

Page 31, delete lines 1 to 35

Page 31, delete lines 3 to 35

Page 32, delete lines 1 to 31

Page 33, delete lines 14 to 17

Page 44, after line 19, insert:

"Subd. 2. **Local Bridge Replacement and Rehabilitation**

50,425,000

This appropriation is from the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, to match federal money and to replace or rehabilitate local deficient bridges. Political subdivisions may use grants made under this subdivision to construct or reconstruct bridges, including:

(1) matching federal-aid grants to construct or reconstruct key bridges;

(2) paying the costs of preliminary engineering and environmental studies authorized under Minnesota Statutes, section 174.50, subdivision 6a;

(3) paying the costs to abandon an existing bridge that is deficient and in need of replacement, but where no replacement will be made; and

(4) paying the costs to construct a road or street to facilitate the abandonment of an existing bridge determined by the commissioner to be deficient, if the commissioner determines that construction of the road or street is more cost efficient than the replacement of the existing bridge.

Subd. 3. **Local Road Improvement Program**

59,425,000

This appropriation is from the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50.

Of this appropriation, \$25,200,000 is for grants to statutory or home rule charter cities, towns, or counties under Minnesota Statutes, section 174.52, subdivision 4.

Of this appropriation, \$25,225,000 is for grants to counties under Minnesota Statutes, section 174.52, subdivision 4a."

Page 44, delete lines 26 to 33

Page 45, delete lines 1 to 25

Page 46, delete lines 1 to 4

Page 47, delete lines 19 to 34

Delete page 48

Page 49, delete lines 1 to 29

Page 50, delete lines 6 to 30

Page 57, delete lines 9 to 33

Page 58, delete lines 10 to 13

Page 58 delete lines 29 to 35

Page 59, delete lines 7 to 14

Page 59, delete lines 26 to 34

Page 60, delete lines 1 to 3

Page 65, after line 24, insert:

"Subd. 2. **Transportation fund bond proceeds account.** To provide the money appropriated in this act from the state transportation fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$255,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund."

Re-number subdivisions in sequence

Adjust the totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Emmer amendment and the roll was called. There were 48 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Emmer	Hackbarth	Magnus	Seifert
Anderson, B.	DeLaForest	Erickson	Hamilton	McFarlane	Severson
Anderson, S.	Demmer	Faust	Heidgerken	McNamara	Simpson
Benson	Dettmer	Finstad	Holberg	Nornes	Smith
Berns	Dittrich	Fritz	Hoppe	Olson	Urdahl
Brod	Doty	Garofalo	Kohls	Paulsen	Wardlow
Buesgens	Drazkowski	Gottwalt	Kranz	Peppin	Westrom
Cornish	Eastlund	Gunther	Lanning	Ruth	Zellers

Those who voted in the negative were:

Anzenc	Bly	Bunn	Davnie	Eken	Greiling
Atkins	Brown	Carlson	Dill	Erhardt	Hansen
Bigham	Brynaert	Clark	Dominguez	Gardner	Hausman

Haws	Kalin	Mariani	Olin	Sailer	Tingelstad
Hilstrom	Knuth	Marquart	Otremba	Scalze	Tschumper
Hilty	Koenen	Masin	Ozment	Sertich	Wagenius
Hornstein	Laine	Moe	Paymar	Simon	Walker
Hortman	Lenczewski	Morgan	Pelowski	Slawik	Ward
Hosch	Lesch	Morrow	Peterson, A.	Slocum	Welti
Hoves	Liebling	Mullery	Peterson, N.	Solberg	Winkler
Huntley	Lieder	Murphy, E.	Peterson, S.	Swails	Wollschlager
Jaros	Lillie	Murphy, M.	Poppe	Thao	Spk. Kelliher
Johnson	Loeffler	Nelson	Rukavina	Thissen	
Juhnke	Mahoney	Norton	Ruud	Tillberry	

The motion did not prevail and the amendment was not adopted.

Hackbarth offered an amendment to H. F. No. 380, the second engrossment, as amended.

POINT OF ORDER

Liebling raised a point of order pursuant to rule 3.21 that the Hackbarth amendment was not in order. The Speaker ruled the point of order well taken and the Hackbarth amendment out of order.

Seifert appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 81 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Anzelc	Dominguez	Hosch	Loeffler	Pelowski	Swails
Atkins	Eken	Huntley	Mahoney	Peterson, A.	Thao
Benson	Erhardt	Jaros	Mariani	Peterson, N.	Thissen
Bigham	Faust	Johnson	Marquart	Peterson, S.	Tillberry
Bly	Fritz	Juhnke	Masin	Poppe	Tschumper
Brown	Gardner	Kalin	Moe	Rukavina	Wagenius
Brynaert	Greiling	Knuth	Morgan	Ruud	Walker
Bunn	Hansen	Kranz	Morrow	Sailer	Welti
Carlson	Hausman	Laine	Mullery	Scalze	Winkler
Clark	Haws	Lenczewski	Murphy, E.	Sertich	Wollschlager
Davnie	Hilstrom	Lesch	Murphy, M.	Simon	Spk. Kelliher
Dettmer	Hilty	Liebling	Nelson	Slawik	
Dill	Hornstein	Lieder	Norton	Slocum	
Dittrich	Hortman	Lillie	Paymar	Solberg	

Those who voted in the negative were:

Abeler	Berns	Cornish	Demmer	Eastlund	Finstad
Anderson, B.	Brod	Dean	Doty	Emmer	Garofalo
Anderson, S.	Buesgens	DeLaForest	Drzkowski	Erickson	Gottwalt

Gunther	Howes	McNamara	Paulsen	Smith	Zellers
Hackbarth	Koenen	Nornes	Peppin	Tingelstad	
Hamilton	Kohls	Olin	Ruth	Urdahl	
Heidgerken	Lanning	Olson	Seifert	Ward	
Holberg	Magnus	Otremba	Severson	Wardlow	
Hoppe	McFarlane	Ozment	Simpson	Westrom	

So it was the judgment of the House that the decision of the Speaker should stand.

Westrom and Otremba moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 35, after line 14, insert:

"Subd. 5. **Capital Assistance Program** 11,000,000

For the solid waste capital assistance grants program under Minnesota Statutes, section 115A.54. Of this, \$9,600,000 is for a grant to Pope and Douglas Counties for an expansion of the Pope-Douglas County solid waste processing facility."

Page 59, delete lines 32 to 34

Page 60 delete lines 1 to 2

Adjust amounts accordingly

A roll call was requested and properly seconded.

The question was taken on the Westrom and Otremba amendment and the roll was called. There were 38 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Abeler	Demmer	Gottwalt	Lanning	Peppin	Urdahl
Anderson, B.	Doty	Hackbarth	Magnus	Ruth	Westrom
Anderson, S.	Drazkowski	Heidgerken	Marquart	Seifert	Zellers
Beard	Eastlund	Holberg	McNamara	Severson	
Buesgens	Erickson	Hoppe	Nornes	Shimanski	
Cornish	Faust	Howes	Olson	Simpson	
DeLaForest	Finstad	Kohls	Otremba	Smith	

Those who voted in the negative were:

Anzelc	Brod	Davnie	Eken	Gunther	Hilty
Atkins	Brown	Dean	Emmer	Hamilton	Hornstein
Benson	Brynaert	Dettmer	Erhardt	Hansen	Hortman
Berns	Bunn	Dill	Fritz	Hausman	Hosch
Bigham	Carlson	Dittrich	Gardner	Haws	Huntley
Bly	Clark	Dominguez	Greiling	Hilstrom	Jaros

Johnson	Lieder	Mullery	Peterson, A.	Slawik	Walker
Juhnke	Lillie	Murphy, E.	Peterson, N.	Slocum	Ward
Kalin	Loeffler	Murphy, M.	Peterson, S.	Solberg	Wardlow
Knuth	Mahoney	Nelson	Poppe	Swails	Welti
Koenen	Mariani	Norton	Rukavina	Thao	Winkler
Kranz	Masin	Olin	Ruud	Thissen	Wollschlager
Laine	McFarlane	Ozment	Sailer	Tillberry	Spk. Kelliher
Lenczewski	Moe	Paulsen	Scalze	Tingelstad	
Lesch	Morgan	Paymar	Sertich	Tschumper	
Liebling	Morrow	Pelowski	Simon	Wagenius	

The motion did not prevail and the amendment was not adopted.

Hoppe moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 55, delete lines 12 to 35

Page 56, delete lines 1 to 16

Renumber the subdivisions and sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

Olson moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 48, line 8, delete the comma

Page 48, delete line 9 and insert "consisting of commuter coach service in the"

Page 48, after line 14, insert:

"The appropriation under this subdivision is not available until the Metropolitan Council has created a commuter coach service plan that (1) implements commuter coach service in the corridor, (2) identifies methods for enhancing transit ridership, and (3) includes an estimated time frame for transition from commuter coach service to busways or rail transit service upon sufficient expansion of ridership."

Page 48, line 17, delete "light rail transit" and insert "physical infrastructure to provide commuter coach service"

Page 48, after line 22, insert:

"The appropriation under this subdivision is not available until the Metropolitan Council has created a commuter coach service plan that (1) implements commuter coach service in the corridor, (2) identifies methods for enhancing transit ridership, and (3) includes an estimated time frame for transition from commuter coach service to light rail transit service upon sufficient expansion of ridership."

Page 48, line 24, after "For" insert "commuter coach service in"

Page 48, after line 28, insert:

"The appropriation under this subdivision is not available until the Metropolitan Council has created a commuter coach service plan that (1) implements commuter coach service in the corridor, (2) identifies methods for enhancing transit ridership, and (3) includes an estimated time frame for transition from commuter coach service to bus rapid transit or rail transit service upon sufficient expansion of ridership."

Page 48, delete line 31 and insert "of physical infrastructure to provide commuter coach service for the"

Page 49, line 2, delete everything after the period and insert:

"The appropriation under this subdivision is not available until the Metropolitan Council has created a commuter coach service plan that (1) implements commuter coach service in the corridor, (2) identifies methods for enhancing transit ridership, and (3) includes an estimated time frame for transition from commuter coach service to bus rapid transit or light rail transit service upon sufficient expansion of ridership."

Page 49, delete lines 3 to 4

Page 49, line 9, delete "located" and insert "for commuter coach service"

Page 49, after line 13, insert:

"The appropriation under this subdivision is not available until the Metropolitan Council has created a commuter coach service plan that (1) implements commuter coach service in the corridor, (2) identifies methods for enhancing transit ridership, and (3) includes an estimated time frame for transition from commuter coach service to bus rapid transit or rail transit service upon sufficient expansion of ridership."

A roll call was requested and properly seconded.

The question was taken on the Olson amendment and the roll was called. There were 29 yeas and 103 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Buesgens	Drazkowski	Hackbarth	Olson	Simpson
Anderson, S.	Cornish	Eastlund	Hamilton	Paulsen	Smith
Beard	Dean	Emmer	Holberg	Peppin	Wardlow
Berns	DeLaForest	Erickson	Hoppe	Seifert	Zellers
Brod	Dettmer	Finstad	Kohls	Shimanski	

Those who voted in the negative were:

Abeler	Erhardt	Huntley	Mariani	Pelowski	Thissen
Anzelc	Faust	Jaros	Marquart	Peterson, A.	Tillberry
Atkins	Fritz	Johnson	Masin	Peterson, N.	Tingelstad
Benson	Gardner	Juhnke	McFarlane	Peterson, S.	Tschumper
Bigham	Garofalo	Kalin	McNamara	Poppe	Urdahl
Bly	Gottwalt	Knuth	Moe	Rukavina	Wagenius
Brown	Greiling	Koenen	Morgan	Ruth	Walker
Brynaert	Gunther	Kranz	Morrow	Ruud	Ward
Bunn	Hansen	Laine	Mullery	Sailer	Welti
Carlson	Hausman	Lanning	Murphy, E.	Scalze	Westrom
Clark	Haws	Lenczewski	Murphy, M.	Sertich	Winkler
Davnie	Heidgerken	Lesch	Nelson	Severson	Wollschlager
Demmer	Hilstrom	Liebling	Nornes	Simon	Spk. Kelliher
Dill	Hilty	Lieder	Norton	Slawik	
Dittrich	Hornstein	Lillie	Olin	Slocum	
Dominguez	Hortman	Loeffler	Otremba	Solberg	
Doty	Hosch	Magnus	Ozment	Swails	
Eken	Howes	Mahoney	Paymar	Thao	

The motion did not prevail and the amendment was not adopted.

Peppin moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 31, delete lines 3 to 35

Page 32, delete lines 1 to 31

Page 33, delete lines 14 to 17

Page 57, delete lines 9 to 33

Page 58 delete lines 29 to 35

Page 59, delete lines 32 to 34

Page 60, delete lines 1 to 3

Page 60, after line 11, insert:

"Subd. 19. Steam Line Extension To Rochester Community and Technical College Campus

\$6,000,000

For a grant to Olmsted County to design and construct approximately 1.25 miles of a new steam pipeline from the Olmsted Waste-to-Energy Facility to the Rochester Community and Technical College Campus, supplying steam heat and cooling from a renewable energy source. This appropriation is not available until the commissioner has determined that at least an equal amount has been committed from Olmsted County.

Subd. 20. Waste To Energy**\$2,500,000**

For a grant to be used to design, construct, furnish, and equip a biomass waste to energy pilot facility using plasma arc technology to generate electrical power using a variety of Minnesota feedstocks or waste materials. The pilot facility must be developed in collaboration with Minnesota industry. The commissioner of employment and economic development shall take applications for the grant until November 1, 2008. The commissioner shall award the grant by December 31, 2008. This appropriation is not available until the commissioner of finance determines that \$2,500,000 has been committed to the project from nonstate sources."

Page 63, line 12, delete "2,000,000" and insert "10,000,000"

Page 63, after line 35, insert:

"Subd. 2. Public Housing Rehabilitation**\$20,000,000**

To the Housing Finance Agency for the purposes of financing the rehabilitation costs to preserve public housing. For purposes of this subdivision, "public housing" is housing for low-income persons and households financed by the federal government and owned and operated by public housing authorities and agencies. Eligible public housing authorities must have a public housing assessment system rating of standard or above. Priority must be given to proposals that maximize federal or local resources to finance the capital costs.

Subd. 3. Hennepin County Opportunity Center**\$2,500,000**

To the commissioner of human services for a grant to Hennepin County for site acquisition, design, and development of the Opportunity Center. The Opportunity Center will provide a one-stop site connecting people experiencing homelessness or at risk of becoming homeless to the continuum of services needed to secure and maintain safe and permanent housing. Heading Home Hennepin, the Minneapolis/Hennepin County ten-year plan to end homelessness, calls for opening the Opportunity Center in 2009."

Page 65, after line 2, insert:

"Sec. 24. COMMERCE**\$20,680,000**

(a) To the commissioner of commerce for grants to a county, statutory or home rule charter city, town, school district, or any combination of those units operating under an agreement to jointly undertake a project: (1) to pay the incremental cost of predesign and design work that will identify the design elements and costs for construction of the proposed building and adjacent landscaping

using standard construction methods and the design elements and costs for construction using energy-efficient elements; and (2) for up to \$..... to pay part or all of the incremental cost of construction and adjacent landscaping work related to implementation of the energy-efficient design, as identified in the design.

(b) The commissioner shall prescribe the application form. For all grants, the application must include at least the following information:

(1) the resolution adopted by the municipality in support of the project and specifically in support of implementing an energy-efficient design in the construction of the new municipal building;

(2) a detailed estimate, along with necessary supporting evidence, of the total costs for the phase of the project for which a grant is sought;

(3) evidence that the municipality has funds committed to pay for the balance of this phase of the project; and

(4) any additional information or material the commissioner requires.

(c) For a predesign or design grant, the application must include at least the following information:

(1) a general description of the project, including the ultimate use of the building, an estimate of the size, possible locations for the building, ownership, and timeline for implementation;

(2) the method for soliciting proposals from design professionals and the qualifications required by the municipality in selecting the design professional for the project; and

(3) an estimate of the incremental cost of the predesign or design work proposed that will be due to providing the energy-efficient alternative.

(d) For a construction grant, the application must include at least the predesign and design work that provides sufficient detail for the commissioner to identify the difference in construction costs and estimated operating costs, including energy consumption, between construction of the project with standard elements and construction using the proposed energy-efficient elements.

(e) If applications for grants exceed the available appropriations, the commissioner may award up to ... percent of the available funds for predesign and design work grants.

(f) The commissioner must award construction grants on a competitive basis, giving highest priority to projects that, in the commissioner's judgment, provide the highest return in energy-efficiency benefits for the public costs incurred. In addition, the commissioner shall consider the following factors in evaluating proposed construction projects:

(1) whether the project is the first public energy-efficient construction project in the area and can serve as a model;

(2) whether the payback from the energy savings is faster than other similar proposals;

(3) the overall project costs; and

(4) the quality of the proposal, including the ability of the municipality to adequately oversee the project.

(g) In making grants, the commissioner shall establish semiannual application deadlines in which grants will be authorized from all or part of the available money in the account.

(h) The commissioner shall require each grant recipient to document and report details of the project funded to allow the commissioner to analyze costs, energy savings, and building operational savings."

Renumber subdivisions in sequence

Adjust the totals accordingly

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Peppin amendment and the roll was called. There were 46 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Abeler	Cornish	Emmer	Hamilton	Norton	Simpson
Anderson, B.	Dean	Erhardt	Heidgerken	Olson	Smith
Anderson, S.	DeLaForest	Erickson	Holberg	Paulsen	Tschumper
Beard	Demmer	Faust	Hoppe	Peppin	Wardlow
Benson	Dettmer	Finstad	Kohls	Peterson, N.	Welti
Berns	Dittrich	Garofalo	Liebling	Ruth	Zellers
Brod	Drazkowski	Gunther	Magnus	Seifert	
Buesgens	Eastlund	Hackbarth	McNamara	Shimanski	

Those who voted in the negative were:

Anzelc	Gardner	Juhnke	Masin	Peterson, A.	Thissen
Atkins	Gottwalt	Kalin	McFarlane	Peterson, S.	Tillberry
Bigham	Greiling	Knuth	Moe	Poppe	Tingelstad
Bly	Hansen	Koenen	Morgan	Rukavina	Urdahl
Brown	Hausman	Kranz	Morrow	Ruud	Wagenius
Brynaert	Haws	Laine	Mullery	Sailer	Walker
Bunn	Hilstrom	Lanning	Murphy, E.	Scalze	Ward
Carlson	Hilty	Lenczewski	Murphy, M.	Sertich	Westrom
Clark	Hornstein	Lesch	Nelson	Severson	Winkler
Davnie	Hortman	Lieder	Nornes	Simon	Wollschlager
Dill	Hosch	Lillie	Olin	Slawik	Spk. Kelliher
Dominguez	Howes	Loeffler	Otremba	Slocum	
Doty	Huntley	Mahoney	Ozment	Solberg	
Eken	Jaros	Mariani	Paymar	Swails	
Fritz	Johnson	Marquart	Pelowski	Thao	

The motion did not prevail and the amendment was not adopted.

Erickson moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 16, line 7, delete "\$32,000,000" and insert "\$24,000,000"

Page 16, line 32, delete "\$2,000,000" and insert "\$10,000,000"

A roll call was requested and properly seconded.

The question was taken on the Erickson amendment and the roll was called. There were 45 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Finstad	Holberg	Olin	Simpson
Anderson, B.	DeLaForest	Fritz	Hoppe	Olson	Smith
Anderson, S.	Demmer	Garofalo	Kohls	Paulsen	Wardlow
Beard	Dettmer	Gottwalt	Kranz	Peppin	Westrom
Berns	Drazkowski	Gunther	Lanning	Ruth	Zellers
Brod	Eastlund	Hackbarth	Magnus	Seifert	
Buesgens	Emmer	Hamilton	McFarlane	Severson	
Cornish	Erickson	Heidgerken	Nornes	Shimanski	

Those who voted in the negative were:

Anzelc	Bunn	Doty	Hausman	Howes	Koenen
Atkins	Carlson	Eken	Haws	Huntley	Laine
Benson	Clark	Erhardt	Hilstrom	Jaros	Lenczewski
Bigham	Davnie	Faust	Hilty	Johnson	Lesch
Bly	Dill	Gardner	Hornstein	Juhnke	Liebling
Brown	Dittrich	Greiling	Hortman	Kalin	Lieder
Brynaert	Dominguez	Hansen	Hosch	Knuth	Lillie

Loeffler	Morrow	Paymar	Sailer	Thao	Ward
Mahoney	Mullery	Pelowski	Scalze	Thissen	Welti
Mariani	Murphy, E.	Peterson, A.	Sertich	Tillberry	Winkler
Marquart	Murphy, M.	Peterson, N.	Simon	Tingelstad	Wollschlager
Masin	Nelson	Peterson, S.	Slawik	Tschumper	Spk. Kelliher
McNamara	Norton	Poppe	Slocum	Urdahl	
Moe	Otremba	Rukavina	Solberg	Wagenius	
Morgan	Ozment	Ruud	Swails	Walker	

The motion did not prevail and the amendment was not adopted.

Anderson, S., moved to amend H. F. No. 380, the second engrossment, as amended, as follows:

Page 56, delete subdivision 6

Page 57, delete subdivision 9

Page 60, line 32, delete "15,300,000" and insert "16,550,000"

Renumber the subdivisions in sequence

Adjust amounts accordingly

A roll call was requested and properly seconded.

The question was taken on the Anderson, S., amendment and the roll was called. There were 46 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Erickson	Heidgerken	Nornes	Shimanski
Anderson, B.	DeLaForest	Faust	Holberg	Olson	Simpson
Anderson, S.	Demmer	Finstad	Hoppe	Paulsen	Smith
Beard	Dettmer	Garofalo	Kohls	Peppin	Wardlow
Berns	Drazkowski	Gottwalt	Lanning	Peterson, N.	Westrom
Brod	Eastlund	Gunther	Magnus	Ruth	Zellers
Buesgens	Emmer	Hackbarth	McFarlane	Seifert	
Cornish	Erhardt	Hamilton	McNamara	Severson	

Those who voted in the negative were:

Anzelc	Clark	Greiling	Howes	Laine	Marquart
Atkins	Davnie	Hansen	Huntley	Lenczewski	Masin
Benson	Dill	Hausman	Jaros	Lesch	Moe
Bigham	Dittrich	Haws	Johnson	Liebling	Morgan
Bly	Dominguez	Hilstrom	Juhnke	Lieder	Morrow
Brown	Doty	Hilty	Kalin	Lillie	Mullery
Brynaert	Eken	Hornstein	Knuth	Loeffler	Murphy, E.
Bunn	Fritz	Hortman	Koenen	Mahoney	Murphy, M.
Carlson	Gardner	Hosch	Kranz	Mariani	Nelson

Norton	Peterson, A.	Scalze	Swails	Urdahl	Wollschlager
Olin	Peterson, S.	Sertich	Thao	Wagenius	Spk. Kelliher
Otremba	Poppe	Simon	Thissen	Walker	
Ozment	Rukavina	Slawik	Tillberry	Ward	
Paymar	Ruud	Slocum	Tingelstad	Welti	
Pelowski	Sailer	Solberg	Tschumper	Winkler	

The motion did not prevail and the amendment was not adopted.

H. F. No. 380, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; establishing new programs and modifying existing programs; authorizing the sale of state bonds; canceling and modifying previous appropriations; appropriating money; amending Minnesota Statutes 2006, sections 16B.32, by adding a subdivision; 16B.325; 16B.335, subdivision 2; 103D.335, subdivision 17; 116.155, subdivisions 2, 3; 116J.423, by adding a subdivision; 119A.45; 462A.21, by adding a subdivision; Minnesota Statutes 2007 Supplement, sections 16A.695, subdivision 3; 103G.222, subdivision 1; Laws 1997, chapter 21, section 1; Laws 2003, First Special Session chapter 20, article 1, section 12, subdivision 3; Laws 2005, chapter 20, article 1, sections 7, subdivision 21; 17; 23, subdivisions 8, 11, as amended, 16; Laws 2006, chapter 258, sections 7, subdivisions 7, 11, 22; 16, subdivision 5; 21, subdivisions 6, 14, 15; 23, subdivision 3; Laws 2006, chapter 282, article 11, section 2, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 116; 137; 462A.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 99 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Anzelc	Fritz	Johnson	Mariani	Pelowski	Thao
Atkins	Gardner	Juhnke	Marquart	Peterson, A.	Thissen
Benson	Gottwalt	Kahn	Masin	Peterson, N.	Tillberry
Bigham	Greiling	Kalin	McFarlane	Peterson, S.	Tingelstad
Bly	Gunther	Knuth	Moe	Poppe	Tschumper
Brown	Hamilton	Koenen	Morgan	Rukavina	Urdahl
Brynaert	Hansen	Kranz	Morrow	Ruth	Wagenius
Bunn	Hausman	Laine	Mullery	Ruud	Walker
Carlson	Haws	Lanning	Murphy, E.	Sailer	Ward
Clark	Hilstrom	Lenczewski	Murphy, M.	Scalze	Welti
Davnie	Hilty	Lesch	Nelson	Sertich	Westrom
Dill	Hornstein	Liebling	Nornes	Severson	Winkler
Dittrich	Hortman	Lieder	Norton	Simon	Wollschlager
Dominguez	Hosch	Lillie	Olin	Slawik	Spk. Kelliher
Eken	Howes	Loeffler	Otremba	Slocum	
Erhardt	Huntley	Magnus	Ozment	Solberg	
Faust	Jaros	Mahoney	Paymar	Swails	

Those who voted in the negative were:

Abeler	Beard	Buesgens	DeLaForest	Doty	Emmer
Anderson, B.	Berns	Cornish	Demmer	Drazkowski	Erickson
Anderson, S.	Brod	Dean	Dettmer	Eastlund	Finstad

Garofalo	Holberg	McNamara	Peppin	Simpson	Zellers
Hackbarth	Hoppe	Olson	Seifert	Smith	
Heidgerken	Kohls	Paulsen	Shimanski	Wardlow	

The bill was passed, as amended, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Sertich from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Thursday, March 6, 2008:

H. F. Nos. 765, 2599, 3157, 1066, 2636, 1219 and 3161.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3201, A bill for an act relating to financing and operation of government in this state; making policy, technical, administrative, payment, enforcement, collection, proceeds distribution, refund, and other changes to income, franchise, property, state and local sales and use, motor vehicle sales, minerals, estate, cigarette and tobacco products, gasoline, liquor, insurance premiums, mortgage and deed, healthcare gross revenues, and wheelage taxes, and other taxes and tax-related provisions; conforming to certain changes in the Internal Revenue Code; changing accelerated sales tax payments; providing for licensure of assessors; changing provisions relating to the sustainable forest resource management incentive program; providing for aids to local governments; providing for state debt collection; changing border city allocation, tax increment financing, and economic development, provisions, powers, and incentives; authorizing and providing terms and conditions related to the issuance of obligations and the financing of public improvements and services; changing and imposing powers, duties, and requirements on certain local governments and authorities and on the commissioner of revenue and other state departments and agencies; extending the time for certain publications of notices; requiring notices and publication of information; extending a petrofund fee exemption; providing for purchase of forest lands; authorizing and validating trusts to pay certain public postemployment benefits; providing for iron range higher education grants; changing revenue recapture, local impact notes, and data practices provisions; providing penalties; appropriating money; amending Minnesota Statutes 2006, sections 3.987, subdivision 1; 3.988, subdivision 3; 3.989, subdivisions 2, 3; 16A.103, subdivision 2; 16D.04, subdivisions 1, 2; 16D.11, subdivisions 2, 7; 62I.06, subdivision 6; 71A.04, subdivision 1; 97A.061, subdivision 2; 118A.03, subdivision 3; 123B.61; 127A.48, subdivision 2; 216B.1646; 270.071, subdivision 7; 270.072, subdivisions 2, 3, 6; 270.074, subdivision 3; 270.076, subdivision 1; 270.41, subdivisions 1, 2, 3, 5, by adding a subdivision; 270.44; 270.45; 270.46; 270.47; 270.48; 270.50; 270A.03, subdivision 2; 270A.10; 270C.306; 270C.34, subdivision 1; 270C.446, subdivision 2; 270C.56, subdivision 1; 270C.63, subdivision 9; 272.02, by adding subdivisions; 272.115, subdivision 1; 273.05, by adding a subdivision; 273.111, subdivision 3; 273.117; 273.121; 273.124, subdivision 13, by adding a subdivision; 273.125, subdivision 8; 273.128, subdivision 1; 273.13, subdivisions 22, 24, 25, by adding a subdivision; 273.1315; 273.1398, subdivision 4; 273.33, subdivision 2; 273.37,

subdivision 2; 273.371, subdivision 1; 274.01, subdivision 1; 274.13, subdivision 1; 275.025, subdivision 3; 275.065, subdivision 5a, by adding a subdivision; 275.066; 275.067; 275.61, subdivision 1; 276.04, subdivision 2, by adding a subdivision; 276A.01, subdivision 3; 276A.04; 277.01, subdivision 2; 278.05, subdivision 6; 279.01, subdivision 1; 279.37, subdivision 1a; 280.39; 287.22; 287.2205; 289A.02, subdivision 7; 289A.08, subdivision 11; 289A.09, subdivision 2; 289A.12, subdivisions 4, 14; 289A.18, subdivision 1; 289A.20, subdivision 4; 289A.38, subdivision 7; 289A.40, subdivision 2; 289A.56, by adding a subdivision; 289A.60, subdivisions 8, 12, 15, 25, 27, by adding subdivisions; 290.01, subdivisions 19a, 19c, 19d; 290.06, subdivisions 2c, 33; 290.067, subdivision 2b; 290.0671, subdivision 7; 290.0677, subdivision 1; 290.091, subdivisions 2, 3; 290.0921, subdivision 3; 290.10; 290.17, subdivision 2; 290.191, subdivision 8; 290.92, by adding a subdivision; 290A.03, subdivision 7; 290B.03, subdivision 2; 290C.02, subdivision 3; 290C.04; 290C.05; 290C.07; 290C.11; 291.005, subdivision 1; 291.215, subdivision 1; 295.52, subdivisions 4, 4a; 295.54, subdivision 2; 296A.18, subdivision 4; 297A.61, subdivisions 3, 4, 7, 10, 24, by adding subdivisions; 297A.63, subdivision 1; 297A.665; 297A.668, by adding a subdivision; 297A.669, subdivisions 3, 13, 14, by adding subdivisions; 297A.67, subdivisions 7, 8, 9; 297A.68, subdivisions 11, 16, 35; 297A.69, subdivision 2; 297A.70, subdivision 7, by adding a subdivision; 297A.72; 297A.90, subdivision 2; 297A.99, subdivision 1; 297B.035, subdivision 1; 297F.06, subdivision 4; 297F.09, subdivision 10; 297F.21, subdivision 3; 297F.25, by adding a subdivision; 297G.09, subdivision 9; 297I.06, subdivisions 1, 2; 297I.15, by adding a subdivision; 297I.20, subdivision 2; 297I.40, subdivision 5; 298.22, by adding a subdivision; 298.2214, subdivision 2; 298.24, subdivision 1; 298.25; 298.28, subdivisions 4, 5, by adding a subdivision; 298.282, subdivision 1; 298.292, subdivision 2; 298.296, subdivision 2; 298.2961, subdivisions 4, 5; 298.75, subdivisions 1, 3, 7, by adding a subdivision; 331A.05, subdivision 2; 360.031; 365A.02; 365A.04; 365A.08; 365A.095; 373.01, subdivision 3; 373.40, subdivision 4; 375B.09; 383A.80, subdivision 4; 383A.81, subdivisions 1, 2; 383B.117, subdivision 2; 383B.77, subdivisions 1, 2; 383B.80, subdivision 4; 410.32; 412.301; 435.193; 453A.02, subdivision 3; 469.169, by adding a subdivision; 469.1734, subdivision 6; 469.174, subdivisions 10, 10a; 469.175, subdivisions 1, 3; 469.176, subdivisions 1, 2, 4l, 7; 469.1761, subdivision 1; 469.1763, subdivision 2; 469.177, subdivision 1; 469.178, subdivision 7; 469.1791, subdivision 3; 473.39, by adding subdivisions; 475.51, subdivision 4; 475.52, subdivision 6; 475.53, subdivision 1; 475.58, subdivisions 1, 3b; 477A.011, subdivision 36; 477A.013, subdivisions 8, 9; Minnesota Statutes 2007 Supplement, sections 270A.03, subdivision 5; 272.02, subdivision 64; 273.124, subdivision 14; 275.065, subdivision 3; 290.01, subdivisions 19, 19b, 31; 290A.03, subdivision 15; 424A.10, subdivision 3; Laws 1973, chapter 393, section 1, as amended; Laws 1980, chapter 511, section 1, subdivision 2, as amended; Laws 1988, chapter 645, section 3, as amended; Laws 1989, chapter 211, section 8, subdivision 4, as amended; Laws 1993, chapter 375, article 9, section 45, subdivisions 2, as amended, 3, as amended, 4, as amended; Laws 1994, chapter 587, article 9, section 14, subdivisions 1, 2, 3; Laws 1995, chapter 264, article 5, sections 44, subdivision 4, as amended; 45, subdivision 1, as amended; Laws 1999, chapter 243, article 4, section 18, subdivisions 1, 3, 4; Laws 2003, chapter 128, article 1, section 172, as amended; Laws 2005, First Special Session chapter 3, article 5, section 39; article 10, section 23, as amended; Laws 2006, chapter 259, article 11, section 3; proposing coding for new law in Minnesota Statutes, chapters 270; 270C; 273; 274; 290C; 297A; 360; 383C; 383D; 383E; 471; 475; repealing Minnesota Statutes 2006, sections 16A.1522; 163.051, subdivision 5; 270.073; 270.41, subdivision 4; 270.43; 270.51; 270.52; 270.53; 295.60; 297A.61, subdivision 20; 297A.668, subdivision 6; 297A.67, subdivision 22; 469.174, subdivision 29; Laws 1973, chapter 393, section 2; Laws 1994, chapter 587, article 9, section 8, subdivision 1, as amended; Laws 1998, chapter 389, article 11, section 18.

PATRICE DWORAK, First Assistant Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lenczewski moved that the House concur in the Senate amendments to H. F. No. 3201 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

The question was taken on the Lenczewski motion and the roll was called. There were 129 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Haws	Lenczewski	Olson	Slawik
Anderson, B.	Dittrich	Heidgerken	Lesch	Otremba	Slocum
Anderson, S.	Dominguez	Hilstrom	Liebling	Ozment	Smith
Anzelc	Doty	Hilty	Lieder	Paulsen	Solberg
Atkins	Drazkowski	Holberg	Lillie	Paymar	Swails
Beard	Eastlund	Hoppe	Loeffler	Pelowski	Thao
Benson	Eken	Hornstein	Magnus	Peppin	Thissen
Berns	Emmer	Hortman	Mahoney	Peterson, A.	Tillberry
Bigham	Erhardt	Hosch	Mariani	Peterson, N.	Tingelstad
Bly	Erickson	Howes	Marquart	Peterson, S.	Tschumper
Brod	Faust	Huntley	Masin	Poppe	Urdahl
Brown	Finstad	Jaros	McFarlane	Rukavina	Wagenius
Buesgens	Fritz	Johnson	McNamara	Ruth	Walker
Bunn	Gardner	Juhnke	Moe	Ruud	Wardlow
Carlson	Garofalo	Kahn	Morgan	Sailer	Welti
Clark	Gottwalt	Kalin	Mullery	Scalze	Westrom
Cornish	Greiling	Knuth	Murphy, E.	Seifert	Winkler
Davnie	Gunther	Koenen	Murphy, M.	Sertich	Zellers
Dean	Hackbarth	Kohls	Nelson	Severson	Spk. Kelliher
DeLaForest	Hamilton	Kranz	Nornes	Shimanski	
Demmer	Hansen	Laine	Norton	Simon	
Dettmer	Hausman	Lanning	Olin	Simpson	

Those who voted in the negative were:

Brynaert	Morrow	Ward	Wollschlager
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The motion prevailed.

H. F. No. 3201, A bill for an act relating to financing and operation of government in this state; making policy, technical, administrative, payment, enforcement, collection, proceeds distribution, refund, and other changes to income, franchise, property, state and local sales and use, motor vehicle sales, minerals, estate, cigarette and tobacco products, gasoline, liquor, insurance premiums, mortgage and deed, healthcare gross revenues, and wheelage taxes, and other taxes and tax-related provisions; conforming to certain changes in the Internal Revenue Code; changing accelerated sales tax payments; providing for licensure of assessors; changing provisions relating to the sustainable forest resource management incentive program; providing for aids to local governments; providing for state debt collection; changing border city allocation, tax increment financing, and economic development, provisions, powers, and incentives; authorizing purchase of forest lands; authorizing and validating trusts to pay certain public postemployment benefits; providing for iron range higher education programs; changing revenue recapture, local impact notes, and data practices provisions; providing penalties; appropriating money; amending Minnesota Statutes 2006, sections 3.987, subdivision 1; 3.988, subdivision 3; 3.989, subdivisions 2, 3; 16A.103, subdivision 2; 16D.04, subdivisions 1, 2; 16D.11, subdivisions 2, 7; 62L.06, subdivision 6; 71A.04, subdivision 1; 97A.061, subdivision 2; 118A.03, subdivision 3; 123B.61; 127A.48, subdivision 2; 270.071, subdivision 7; 270.072, subdivisions 2, 3, 6; 270.074, subdivision 3; 270.076, subdivision 1; 270.41, subdivisions 1, 2, 3, 5, by adding a subdivision; 270.44; 270.45; 270.46; 270.47; 270.48; 270.50; 270A.03, subdivision 2; 270A.10; 270C.306; 270C.34, subdivision 1; 270C.446, subdivision 2; 270C.56, subdivision 1; 270C.63, subdivision 9; 272.02, by adding subdivisions; 272.115, subdivision 1; 273.05, by adding a subdivision; 273.111, subdivision 3; 273.117; 273.121; 273.124, subdivision 13,

by adding a subdivision; 273.125, subdivision 8; 273.128, subdivision 1; 273.13, subdivisions 22, 23, 25, by adding a subdivision; 273.1315; 273.1398, subdivision 4; 273.33, subdivision 2; 273.37, subdivision 2; 273.371, subdivision 1; 274.01, subdivision 1; 274.13, subdivision 1; 275.025, subdivision 3; 275.065, subdivision 5a, by adding a subdivision; 275.066; 275.067; 275.61, subdivision 1; 276.04, subdivision 2, by adding a subdivision; 276A.01, subdivision 3; 276A.04; 277.01, subdivision 2; 278.05, subdivision 6; 279.01, subdivision 1; 279.37, subdivision 1a; 280.39; 287.22; 287.2205; 289A.02, subdivision 7; 289A.08, subdivision 11; 289A.09, subdivision 2; 289A.12, subdivisions 4, 14; 289A.18, subdivision 1; 289A.20, subdivision 4; 289A.38, subdivision 7; 289A.40, subdivision 2; 289A.56, by adding a subdivision; 289A.60, subdivisions 8, 12, 15, 25, 27, by adding subdivisions; 290.01, subdivisions 19a, 19c, 19d; 290.06, subdivisions 2c, 33; 290.067, subdivision 2b; 290.0671, subdivision 7; 290.0677, subdivision 1; 290.091, subdivisions 2, 3; 290.0921, subdivision 3; 290.10; 290.17, subdivision 2; 290.191, subdivision 8; 290.92, by adding a subdivision; 290A.03, subdivision 7; 290B.03, subdivision 2; 290C.02, subdivision 3; 290C.04; 290C.05; 290C.07; 290C.11; 291.005, subdivision 1; 291.215, subdivision 1; 295.52, subdivisions 4, 4a; 295.54, subdivision 2; 296A.18, subdivision 4; 297A.61, subdivisions 3, 4, 7, 10, 24, by adding subdivisions; 297A.63, subdivision 1; 297A.665; 297A.668, by adding a subdivision; 297A.669, subdivisions 3, 13, 14, by adding subdivisions; 297A.67, subdivisions 7, 8, 9; 297A.68, subdivisions 11, 16, 35; 297A.69, subdivision 2; 297A.70, subdivision 7, by adding a subdivision; 297A.72; 297A.90, subdivision 2; 297B.035, subdivision 1; 297F.06, subdivision 4; 297F.09, subdivision 10; 297F.21, subdivision 3; 297F.25, by adding a subdivision; 297G.09, subdivision 9; 297I.06, subdivisions 1, 2; 297I.15, by adding a subdivision; 297I.20, subdivision 2; 297I.40, subdivision 5; 298.22, by adding a subdivision; 298.2214, subdivision 2; 298.24, subdivision 1; 298.25; 298.28, subdivisions 4, 5, by adding a subdivision; 298.282, subdivision 1; 298.292, subdivision 2; 298.296, subdivision 2; 298.2961, subdivisions 4, 5; 298.75, subdivisions 1, 3, 7, by adding a subdivision; 331A.05, subdivision 2; 360.031; 365A.02; 365A.04; 365A.08; 365A.095; 373.01, subdivision 3; 373.40, subdivision 4; 375B.09; 383B.117, subdivision 2; 383B.77, subdivisions 1, 2; 410.32; 412.301; 435.193; 453A.02, subdivision 3; 469.169, by adding a subdivision; 469.1734, subdivision 6; 469.174, subdivisions 10, 10a; 469.175, subdivisions 1, 3; 469.176, subdivisions 1, 2, 4l, 7; 469.1761, subdivision 1; 469.1763, subdivision 2; 469.177, subdivision 1; 469.178, subdivision 7; 469.1791, subdivision 3; 473.39, by adding subdivisions; 475.51, subdivision 4; 475.52, subdivision 6; 475.53, subdivision 1; 475.58, subdivisions 1, 3b; 477A.011, subdivision 36; 477A.013, subdivisions 8, 9; Minnesota Statutes 2007 Supplement, sections 270A.03, subdivision 5; 272.02, subdivision 64; 273.124, subdivision 14; 275.065, subdivision 3; 290.01, subdivisions 19, 19b, 31; 290A.03, subdivision 15; 424A.10, subdivision 3; Laws 1973, chapter 393, section 1, as amended; Laws 1980, chapter 511, section 1, subdivision 2, as amended; Laws 1988, chapter 645, section 3, as amended; Laws 1989, chapter 211, section 8, subdivision 4, as amended; Laws 1994, chapter 587, article 9, section 14, subdivisions 1, 2, 3; Laws 1995, chapter 264, article 5, sections 44, subdivision 4, as amended; 45, subdivision 1, as amended; Laws 2003, chapter 128, article 1, section 172, as amended; Laws 2005, First Special Session chapter 3, article 5, section 39; article 10, section 23, as amended; Laws 2006, chapter 259, article 11, section 3; proposing coding for new law in Minnesota Statutes, chapters 270; 270C; 273; 274; 290C; 297A; 360; 471; 475; repealing Minnesota Statutes 2006, sections 16A.1522; 163.051, subdivision 5; 270.073; 270.41, subdivision 4; 270.43; 270.51; 270.52; 270.53; 295.60; 297A.61, subdivision 20; 297A.668, subdivision 6; 297A.67, subdivision 22; 469.174, subdivision 29; Laws 1973, chapter 393, section 2; Laws 1994, chapter 587, article 9, section 8, subdivision 1, as amended; Laws 1998, chapter 389, article 11, section 18.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 132 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Anzelc	Benson	Bly	Brynaert	Carlson
Anderson, B.	Atkins	Berns	Brod	Buesgens	Clark
Anderson, S.	Beard	Bigham	Brown	Bunn	Cornish

Davnie	Garofalo	Jaros	Mariani	Pelowski	Smith
Dean	Gottwalt	Johnson	Marquart	Peppin	Solberg
DeLaForest	Greiling	Juhnke	Masin	Peterson, A.	Swails
Demmer	Gunther	Kahn	McFarlane	Peterson, N.	Thao
Dettmer	Hackbarth	Kalin	McNamara	Peterson, S.	Thissen
Dill	Hamilton	Knuth	Moe	Poppe	Tillberry
Dittrich	Hansen	Koenen	Morgan	Rukavina	Tingelstad
Dominguez	Hausman	Kohls	Mullery	Ruth	Tschumper
Doty	Haws	Kranz	Murphy, E.	Ruud	Urdahl
Drazkowski	Heidgerken	Laine	Murphy, M.	Sailer	Wagenius
Eastlund	Hilstrom	Lanning	Nelson	Scalze	Walker
Eken	Hilty	Lenczewski	Nornes	Seifert	Ward
Emmer	Holberg	Lesch	Norton	Sertich	Wardlow
Erhardt	Hoppe	Liebling	Olin	Severson	Welti
Erickson	Hornstein	Lieder	Olson	Shimanski	Westrom
Faust	Hortman	Lillie	Otremba	Simon	Winkler
Finstad	Hosch	Loeffler	Ozment	Simpson	Wollschlager
Fritz	Howes	Magnus	Paulsen	Slawik	Zellers
Gardner	Huntley	Mahoney	Paymar	Slocum	Spk. Kelliher

Those who voted in the negative were:

Morrow

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2262, 2471, 2511, 2377, 2796, 3154, 2881, 2908 and 2909.

PATRICE DWORAK, First Assistant Secretary of the Senate

The Speaker called Pelowski to the Chair.

FIRST READING OF SENATE BILLS

S. F. No. 2262, A bill for an act relating to telecommunications; repealing certain obsolete rules; repealing Minnesota Rules, parts 7810.0800; 7810.1300; 7810.2700; 7810.4000; 7810.5700; 7810.6200; 7810.6300; 7810.6500.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

S. F. No. 2471, A bill for an act relating to health; lowering the minimum age requirement for blood donation; requiring parental consent; amending Minnesota Statutes 2006, section 145.41.

The bill was read for the first time.

Fritz moved that S. F. No. 2471 and H. F. No. 1066, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2511, A bill for an act relating to state government; reestablishing the Health Care Peer Review Committee relating to quality of care and treatment of offenders; reestablishing advisory committees for the Minnesota Breeders fund; amending Minnesota Statutes 2006, section 241.021, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 240.18, subdivision 4; Laws 2007, chapter 133, article 2, section 13.

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections.

S. F. No. 2377, A bill for an act relating to health; modifying basic life support ambulance staffing requirements under certain circumstances; allowing a hardship waiver of advanced life support ambulance staffing requirements; modifying advanced life support ambulance staffing requirements under certain circumstances; amending Minnesota Statutes 2006, section 144E.101, subdivision 7; Minnesota Statutes 2007 Supplement, section 144E.101, subdivision 6.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 2796, A bill for an act relating to education; modifying teaching employment for early childhood education programs; amending Minnesota Statutes 2007 Supplement, section 124D.13, subdivision 11.

The bill was read for the first time.

Bly moved that S. F. No. 2796 and H. F. No. 2617, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3154, A bill for an act relating to commerce; regulating residential mortgage originators and services; verifying the borrower's ability to pay; amending Minnesota Statutes 2007 Supplement, section 58.13, subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

S. F. No. 2881, A bill for an act relating to commerce; regulating contracts for deed, rates of interest on certain contracts, and mortgage lending; providing verification of the borrower's reasonable ability to repay a mortgage loan; providing penalties and remedies for a mortgage broker's failure to comply with the broker's duties of agency; amending Minnesota Statutes 2006, sections 47.20, subdivision 2; 334.01, subdivision 2; Minnesota Statutes 2007 Supplement, sections 58.13, subdivision 1; 58.18, subdivisions 1, 2.

The bill was read for the first time and referred to the Committee on Commerce and Labor.

S. F. No. 2908, A bill for an act relating to landlord and tenant; providing for certain notices relating to foreclosure; amending Minnesota Statutes 2006, sections 504B.151; 504B.178, subdivision 8; 504B.285, subdivision 1.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

S. F. No. 2909, A bill for an act relating to landlord and tenant; modifying right of tenant to pay utility bills; amending Minnesota Statutes 2006, section 504B.215, subdivision 3.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

CONSENT CALENDAR

H. F. No. 3000, A bill for an act relating to public safety; making technical correction to provision relating to financing the statewide public safety radio system; amending Minnesota Statutes 2006, section 373.47, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Heidgerken	Liebling	Ozment	Solberg
Anderson, B.	Dittrich	Hilstrom	Lieder	Paulsen	Swails
Anderson, S.	Dominguez	Hilty	Lillie	Paymar	Thao
Anzenc	Doty	Holberg	Loeffler	Pelowski	Thissen
Atkins	Drazkowski	Hoppe	Magnus	Peppin	Tillberry
Beard	Eastlund	Hornstein	Mahoney	Peterson, A.	Tingelstad
Benson	Eken	Hortman	Mariani	Peterson, N.	Tschumper
Berns	Emmer	Hosch	Marquart	Peterson, S.	Urdahl
Bigham	Erhardt	Howes	Masin	Poppe	Wagenius
Bly	Erickson	Huntley	McFarlane	Rukavina	Walker
Brod	Faust	Jaros	McNamara	Ruth	Ward
Brown	Finstad	Johnson	Moe	Ruud	Wardlow
Brynaert	Fritz	Juhnke	Morgan	Sailer	Welti
Buesgens	Gardner	Kahn	Morrow	Scalze	Westrom
Bunn	Garofalo	Kalin	Mullery	Seifert	Winkler
Carlson	Gottwalt	Knuth	Murphy, E.	Sertich	Wollschlager
Clark	Greiling	Koenen	Murphy, M.	Severson	Zellers
Cornish	Gunther	Kohls	Nelson	Shimanski	Spk. Kelliher
Davnie	Hackbarth	Kranz	Nornes	Simon	
Dean	Hamilton	Laine	Norton	Simpson	
DeLaForest	Hansen	Lanning	Olin	Slawik	
Demmer	Hausman	Lenczewski	Olson	Slocum	
Dettmer	Haws	Lesch	Otremba	Smith	

The bill was passed and its title agreed to.

H. F. No. 2896, A bill for an act relating to public buildings; removing a requirement that a city hold a referendum before building, equipping, or maintaining a memorial for war veterans; amending Minnesota Statutes 2006, section 416.01.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Heidgerken	Liebling	Ozment	Solberg
Anderson, B.	Dittrich	Hilstrom	Lieder	Paulsen	Swails
Anderson, S.	Dominguez	Hilty	Lillie	Paymar	Thao
Anzelc	Doty	Holberg	Loeffler	Pelowski	Thissen
Atkins	Drazkowski	Hoppe	Magnus	Peppin	Tillberry
Beard	Eastlund	Hornstein	Mahoney	Peterson, A.	Tingelstad
Benson	Eken	Hortman	Mariani	Peterson, N.	Tschumper
Berns	Emmer	Hosch	Marquart	Peterson, S.	Urdahl
Bigham	Erhardt	Howes	Masin	Poppe	Wagenius
Bly	Erickson	Huntley	McFarlane	Rukavina	Walker
Brod	Faust	Jaros	McNamara	Ruth	Ward
Brown	Finstad	Johnson	Moe	Ruud	Wardlow
Brynaert	Fritz	Juhnke	Morgan	Sailer	Welti
Buesgens	Gardner	Kahn	Morrow	Scalze	Westrom
Bunn	Garofalo	Kalin	Mullery	Seifert	Winkler
Carlson	Gottwalt	Knuth	Murphy, E.	Sertich	Wollschlager
Clark	Greiling	Koenen	Murphy, M.	Severson	Zellers
Cornish	Gunther	Kohls	Nelson	Shimanski	Spk. Kelliher
Davnie	Hackbarth	Kranz	Nornes	Simon	
Dean	Hamilton	Laine	Norton	Simpson	
DeLaForest	Hansen	Lanning	Olin	Slawik	
Demmer	Hausman	Lenczewski	Olson	Slocum	
Dettmer	Haws	Lesch	Otremba	Smith	

The bill was passed and its title agreed to.

Paymar was excused for the remainder of today's session.

CALENDAR FOR THE DAY

H. F. No. 3157, A bill for an act relating to Big Stone County; authorizing the county board to assign certain duties to the county treasurer.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hausman	Lanning	Norton	Simpson
Anderson, B.	Dill	Haws	Lenczewski	Olin	Slawik
Anderson, S.	Dittrich	Heidgerken	Lesch	Olson	Slocum
Anzelc	Dominguez	Hilstrom	Liebling	Otremba	Smith
Atkins	Doty	Hilty	Lieder	Ozment	Solberg
Beard	Drazkowski	Holberg	Lillie	Paulsen	Swails
Benson	Eastlund	Hoppe	Loeffler	Pelowski	Thao
Berns	Eken	Hornstein	Magnus	Peppin	Thissen
Bigham	Emmer	Hortman	Mahoney	Peterson, A.	Tillberry
Bly	Erhardt	Hosch	Mariani	Peterson, N.	Tingelstad
Brod	Erickson	Howes	Marquart	Peterson, S.	Tschumper
Brown	Faust	Huntley	Masin	Poppe	Urdahl
Brynaert	Finstad	Jaros	McFarlane	Rukavina	Wagenius
Buesgens	Fritz	Johnson	McNamara	Ruth	Walker
Bunn	Gardner	Juhnke	Moe	Ruud	Ward
Carlson	Garofalo	Kahn	Morgan	Sailer	Wardlow
Clark	Gottwalt	Kalin	Morrow	Scalze	Welti
Cornish	Greiling	Knuth	Mullery	Seifert	Westrom
Davnie	Gunther	Koenen	Murphy, E.	Sertich	Winkler
Dean	Hackbarth	Kohls	Murphy, M.	Severson	Wollschlager
DeLaForest	Hamilton	Kranz	Nelson	Shimanski	Zellers
Demmer	Hansen	Laine	Nornes	Simon	Spk. Kelliher

The bill was passed and its title agreed to.

H. F. No. 2636, A bill for an act relating to local government; providing for town parks; authorizing certain expenditures by towns; amending Minnesota Statutes 2006, section 365.10, subdivisions 8, 12.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Bunn	Eastlund	Hamilton	Jaros	Lieder
Anderson, B.	Carlson	Eken	Hansen	Johnson	Lillie
Anderson, S.	Clark	Emmer	Hausman	Juhnke	Loeffler
Anzelc	Cornish	Erhardt	Haws	Kahn	Magnus
Atkins	Davnie	Erickson	Heidgerken	Kalin	Mahoney
Beard	Dean	Faust	Hilstrom	Knuth	Mariani
Benson	DeLaForest	Finstad	Hilty	Koenen	Marquart
Berns	Demmer	Fritz	Holberg	Kohls	Masin
Bigham	Dettmer	Gardner	Hoppe	Kranz	McFarlane
Bly	Dill	Garofalo	Hornstein	Laine	McNamara
Brod	Dittrich	Gottwalt	Hortman	Lanning	Moe
Brown	Dominguez	Greiling	Hosch	Lenczewski	Morgan
Brynaert	Doty	Gunther	Howes	Lesch	Morrow
Buesgens	Drazkowski	Hackbarth	Huntley	Liebling	Mullery

Murphy, E.	Ozment	Rukavina	Shimanski	Thao	Ward
Murphy, M.	Paulsen	Ruth	Simon	Thissen	Wardlow
Nelson	Pelowski	Ruud	Simpson	Tillberry	Welti
Nornes	Peppin	Sailer	Slawik	Tingelstad	Westrom
Norton	Peterson, A.	Scalze	Slocum	Tschumper	Winkler
Olin	Peterson, N.	Seifert	Smith	Urdahl	Wollschlager
Olson	Peterson, S.	Sertich	Solberg	Wagenius	Zellers
Otremba	Poppe	Severson	Swails	Walker	Spk. Kelliher

The bill was passed and its title agreed to.

H. F. No. 1219, A bill for an act relating to transportation; removing sunset date for weight exemptions for certain milk trucks; amending Minnesota Statutes 2006, section 169.87, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dettmer	Hausman	Lanning	Norton	Simpson
Anderson, B.	Dill	Haws	Lenczewski	Olin	Slawik
Anderson, S.	Dittrich	Heidgerken	Lesch	Olson	Slocum
Anzelc	Dominguez	Hilstrom	Liebling	Otremba	Smith
Atkins	Doty	Hilty	Lieder	Ozment	Solberg
Beard	Drazkowski	Holberg	Lillie	Paulsen	Swails
Benson	Eastlund	Hoppe	Loeffler	Pelowski	Thao
Berns	Eken	Hornstein	Magnus	Peppin	Thissen
Bigham	Emmer	Hortman	Mahoney	Peterson, A.	Tillberry
Bly	Erhardt	Hosch	Mariani	Peterson, N.	Tingelstad
Brod	Erickson	Howes	Marquart	Peterson, S.	Tschumper
Brown	Faust	Huntley	Masin	Poppe	Urdahl
Brynaert	Finstad	Jaros	McFarlane	Rukavina	Wagenius
Buesgens	Fritz	Johnson	McNamara	Ruth	Walker
Bunn	Gardner	Juhnke	Moe	Ruud	Ward
Carlson	Garofalo	Kahn	Morgan	Sailer	Wardlow
Clark	Gottwalt	Kalin	Morrow	Scalze	Welti
Cornish	Greiling	Knuth	Mullery	Seifert	Westrom
Davnie	Gunther	Koenen	Murphy, E.	Sertich	Winkler
Dean	Hackbarth	Kohls	Murphy, M.	Severson	Wollschlager
DeLaForest	Hamilton	Kranz	Nelson	Shimanski	Zellers
Demmer	Hansen	Laine	Nornes	Simon	Spk. Kelliher

The bill was passed and its title agreed to.

Davnie was excused for the remainder of today's session.

H. F. No. 2599, A bill for an act relating to local government; increasing amount that counties may appropriate for Memorial Day observances; amending Minnesota Statutes 2006, sections 375.34; 375.35.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dill	Haws	Lenczewski	Olin	Slawik
Anderson, B.	Dittrich	Heidgerken	Lesch	Olson	Slocum
Anderson, S.	Dominguez	Hilstrom	Liebling	Otremba	Smith
Anzelc	Doty	Hilty	Lieder	Ozment	Solberg
Atkins	Drazkowski	Holberg	Lillie	Paulsen	Swails
Beard	Eastlund	Hoppe	Loeffler	Pelowski	Thao
Benson	Eken	Hornstein	Magnus	Peppin	Thissen
Berns	Emmer	Hortman	Mahoney	Peterson, A.	Tillberry
Bigham	Erhardt	Hosch	Mariani	Peterson, N.	Tingelstad
Bly	Erickson	Howes	Marquart	Peterson, S.	Tschumper
Brod	Faust	Huntley	Masin	Poppe	Urdahl
Brown	Finstad	Jaros	McFarlane	Rukavina	Wagenius
Brynaert	Fritz	Johnson	McNamara	Ruth	Walker
Buesgens	Gardner	Juhnke	Moe	Ruud	Ward
Bunn	Garofalo	Kahn	Morgan	Sailer	Wardlow
Carlson	Gottwalt	Kalin	Morrow	Scalze	Welti
Clark	Greiling	Knuth	Mullery	Seifert	Westrom
Cornish	Gunther	Koenen	Murphy, E.	Sertich	Winkler
Dean	Hackbarth	Kohls	Murphy, M.	Severson	Wollschlager
DeLaForest	Hamilton	Kranz	Nelson	Shimanski	Zellers
Demmer	Hansen	Laine	Nornes	Simon	Spk. Kelliher
Dettmer	Hausman	Lanning	Norton	Simpson	

The bill was passed and its title agreed to.

Sertich moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 380, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; establishing new programs and modifying existing programs; authorizing the sale of state bonds; canceling and modifying previous appropriations; appropriating money; amending Minnesota Statutes 2006, sections 16B.32, by adding a subdivision; 16B.325; 16B.335, subdivision 2; 103D.335, subdivision 17; 116.155, subdivisions 2, 3; 116J.423, by adding a subdivision; 119A.45; 462A.21, by adding a subdivision; Minnesota Statutes 2007 Supplement, sections 16A.695, subdivision 3; 103G.222, subdivision 1; Laws 1997, chapter 21, section 1; Laws 2003, First Special Session chapter 20, article 1, section 12, subdivision 3; Laws 2005, chapter 20, article 1, sections 7, subdivision 21; 17; 23, subdivisions 8, 11, as amended, 16; Laws 2006, chapter 258, sections 7, subdivisions 7, 11, 22; 16, subdivision 5; 21, subdivisions 6, 14, 15; 23, subdivision 3; Laws 2006, chapter 282, article 11, section 2, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 116; 137; 462A.

PATRICE DWORAK, First Assistant Secretary of the Senate

Hausman moved that the House refuse to concur in the Senate amendments to H. F. No. 380, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 380:

Hausman, Wagenius, Solberg, Scalze and Tingelstad.

MOTIONS AND RESOLUTIONS

Brod moved that the name of Ruth be added as an author on H. F. No. 2172. The motion prevailed.

Otremba moved that her name be stricken as an author on H. F. No. 2459. The motion prevailed.

Paymar moved that the name of Haws be added as an author on H. F. No. 2877. The motion prevailed.

Thissen moved that the name of Ruud be added as an author on H. F. No. 2896. The motion prevailed.

Bly moved that the name of Beard be added as an author on H. F. No. 3003. The motion prevailed.

Murphy, E., moved that the name of Haws be added as an author on H. F. No. 3251. The motion prevailed.

Loeffler moved that the name of Gottwalt be added as an author on H. F. No. 3390. The motion prevailed.

Madore moved that the name of Walker be added as an author on H. F. No. 3576. The motion prevailed.

Hornstein moved that the name of Norton be added as an author on H. F. No. 3780. The motion prevailed.

Morrow moved that the name of Heidgerken be added as an author on H. F. No. 3805. The motion prevailed.

Fritz moved that the name of Bly be added as an author on H. F. No. 3819. The motion prevailed.

Walker moved that the name of Bly be added as an author on H. F. No. 3820. The motion prevailed.

Clark moved that the name of Kahn be added as an author on H. F. No. 3821. The motion prevailed.

Brynaert moved that the name of Bly be added as an author on H. F. No. 3843. The motion prevailed.

Scalze moved that the name of Bly be added as an author on H. F. No. 3844. The motion prevailed.

Sailer moved that the name of Bly be added as an author on H. F. No. 3857. The motion prevailed.

Knuth moved that the name of Bly be added as an author on H. F. No. 3858. The motion prevailed.

Bigham moved that H. F. No. 3161, now on the Calendar for the Day, be re-referred to the Committee on Public Safety and Civil Justice. The motion prevailed.

Hilstrom moved that H. F. No. 3190 be recalled from the Committee on E-12 Education and be re-referred to the Committee on Finance. The motion prevailed.

Kalin moved that H. F. No. 3301 be recalled from the Transportation Finance Division and be re-referred to the Committee on Public Safety and Civil Justice. The motion prevailed.

Sertich moved that S. F. No. 2910 be recalled from the Committee on Public Safety and Civil Justice and together with H. F. No. 3517, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

Mullery moved that S. F. No. 2912 be recalled from the Committee on Public Safety and Civil Justice and be re-referred to the Committee on Commerce and Labor. The motion prevailed.

Olson moved that H. F. No. 2457 be returned to its author. The motion prevailed.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 11:00 a.m., Monday, March 10, 2008. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Monday, March 10, 2008.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

